



2024年5月31日刚果民主共和国问题专家组致安全理事会主席的信

经安全理事会第 2688(2023)号决议延长任务期的刚果民主共和国问题专家组的成员谨根据该决议第 6 段的规定随函转递关于专家组工作的最后报告。

专家组报告于 2024 年 4 月 29 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，委员会于 2024 年 5 月 24 日审议了该报告。

专家组谨请安全理事会成员注意本信和所附报告并将其作为安理会文件分发。

刚果民主共和国问题专家组

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刚果民主共和国问题专家组的最后报告

摘要

刚果民主共和国东部的安全和人道主义局势继续恶化，仍然受激烈暴力的影响。区域紧张局势对东部三省的冲突和战火产生了不利影响。在刚果民主共和国西部，马伊恩东贝的冲突仍在继续。

在北基伍，受制裁的武装团体民主同盟军加紧攻击刚果民主共和国的城镇中心，并继续活跃于乌干达境内。民主同盟军打死的人数最多，主要是平民。该武装团体在监狱中建立了强大的网络，特别是在金沙萨，被拘留在那里的民主同盟军成员积极招募和动员战斗人员和合作者。

刚果民主共和国政府正式使用瓦扎伦多武装团体与“3·23”运动作战，导致刚果民主共和国东部各地的武装团体均自称是瓦扎伦多，以使其存在和犯罪活动合法化。

快速升级的“3·23”运动危机有可能引发一场更广泛的区域冲突。“3·23”运动协同卢旺达国防军以及刚果民主共和国武装部队协同地方武装团体瓦扎伦多联盟、受制裁的解放卢旺达民主力量(卢民主力量)和布隆迪国防军部队之间的激烈战火持续不断。2023年12月部署的私营军事公司和南部非洲发展共同体部队向刚果民主共和国武装部队提供了行动和军事支持。

卢旺达国防军在鲁丘鲁县、马西西县和尼拉贡戈县的军事干预和行动不仅只是支持“3·23”运动的行动，而且还直接而明确地介入，使卢旺达国防军和“3·23”运动得以在小北区取得军事优势，并迅速将地盘扩张到爱德华湖沿岸。先进军事技术和装备的部署为“3·23”运动-卢旺达国防军的联合行动提供了支撑，改变了冲突动态，包括使刚果民主共和国武装部队的所有军事航空资产停飞。新成立的政治军事运动“刚果河联盟”未能联合大多数政治和武装行为体对抗刚果民主共和国政府。

政府继续利用瓦扎伦多各团体和卢民主力量作为与“3·23”运动和卢旺达国防军作战的代理人。刚果民主共和国武装部队参谋长关于停止与卢民主力量合作的指示没有得到理会。尽管卢民主力量受到压力，但它仍然是冲突中的一个重要行为体。

布隆迪国防军与“3·23”运动和卢旺达国防军的战火加剧了卢旺达和布隆迪之间的紧张局势。

旷日持久的武装暴力使本已严峻的人道主义危机更加恶化。截至2024年3月，小北区有近170万境内流离失所者。另有50万境内流离失所者涌入邻近的南基伍。戈马面临着不断升级的犯罪和内乱，主要原因是瓦扎伦多战斗人员和纪律涣散的刚果民主共和国武装部队人员到处流窜，而其行为普遍不受惩罚。由于靠近战火而且城镇地区和境内流离失所者营地附近频繁受到炮击，平民大量伤亡。

所有武装行为体在敌对行动中招募和使用儿童的规模前所未有的。“3·23”运动和卢旺达国防军继续惩罚被认为与敌方武装团体合作的平民，特别是被认

为与卢民主力量或尼亚图拉民兵有关联的胡图人，惩罚形式是处决、酷刑、摧毁村庄、抢劫或任意拘留。瓦扎伦多各团体在其势力范围内靠暴力战时经济壮大力量，抢劫、勒索、绑架和杀害平民。

在小北区活动的大多数武装行为体在其控制地区从非法伐木和/或收取木板运输税中获利。这一收入来源是小北区持续危机带来的更广泛创造收入渠道的一部分。

在鲁巴亚，刚果爱国抵抗联盟-打击力量控制下的矿物生产以及刚果爱国抵抗联盟-打击力量、瓦扎伦多和“3·23”运动控制下的矿产交易继续有增无减，导致这些矿物不能用于进行贸易。此外还存在严重的供应链污染风险。

在伊图里，两个主要的武装团体，“扎伊尔”和刚果发展合作社/保卫刚果人民革命联盟再度进行武装对抗和竞争，包括争夺利润丰厚的金矿。事实证明，“扎伊尔”参与和平进程的短暂承诺是虚伪的，该组织加强动员和发动攻势就说明了这一点。刚果发展合作社/保卫刚果人民革命联盟还经常与刚果民主共和国武装部队发生冲突，袭击联合国组织刚果民主共和国稳定特派团(联刚稳定团)维和人员，并对平民进行无差别致命袭击，包括绑架和处决。刚果民主共和国武装部队和共和国卫队人员参与了金矿开采活动。刚果民主共和国武装部队的财政资源和士兵被调离与武装团体作战的前线，转而保护采矿部门的私人利益。

在南基伍，与“3·23”运动有关的危机继续影响武装团体动态。布隆迪和卢旺达之间的紧张局势加剧，导致两国恢复与盘踞在南基伍的外国武装团体接触与合作。卢旺达特别重申了对争取布隆迪法治抵抗运动的支持，布隆迪则恢复了与全国振兴和民主委员会-民族解放阵线的合作。地方武装团体、“3·23”运动、刚果河联盟和卢旺达之间的联系进一步加剧了南基伍各武装团体之间的紧张关系。乌维拉的巴尼亚穆伦格互助社“Shikama”资助了菲齐县上高原的特韦瓦内霍。南基伍的武装团体领导人，包括受制裁的个人 William Yakutumba，通过对矿工及其生产征收非法税款，中饱私囊。

在采矿部门，瓦扎伦多现象的发展对尽职调查的执行构成严重威胁。经济行为体依赖武装团体来保障自身安全。

自专家组发表其中期报告以来，普里梅拉金业公司的出口急剧下降。普里梅拉金业公司因与阿拉伯联合酋长国合作伙伴存在分歧而实力受损。与该区域其他一些国家的价格相比，该公司的竞争力有所下降。因此，黄金继续被走私，特别是走私到卢旺达和乌干达。

马伊恩东贝的冲突继续发酵，莫邦多民兵继续占领夸穆特县的数个太凯族部落。莫邦多民兵继续袭击平民，并与刚果民主共和国武装部队和共和国卫队发生暴力冲突，通过成功袭击军事阵地获得大量武器弹药。2024年3月中旬，刚果民主共和国总统费利克斯·安托万·齐塞克迪牵头进行了有太凯族和亚卡族传统首领以及莫邦多民兵成员参加的和平谈判，导致达成了停火协议。然而，在协定签署后的第二天，莫邦多民兵打死了数名平民，使和平进程的可行性受到质疑。几位太凯族首领对和平倡议提出质疑，认为它不够包容或公平。

目录

	页次
一. 导言	5
二. 北基伍	5
A. 民主同盟军	5
B. 刚果河联盟	8
C. “3·23”运动和卢旺达国防军	9
D. 政府使用代理人以及当地存在众多军事行为体	16
E. 空前人道主义危机和严重侵害平民行为	22
F. 武装团体和政府行为体设置路障、非法征税和伐木	29
G. 鲁巴亚的非法矿物开采和贸易	31
三. 伊图里省	33
A. 扎伊尔武装团体对和平的虚伪承诺	33
B. 刚果发展合作社/保卫刚果人民革命联盟	34
C. 违反国际人道法和国际人权法的情况	35
D. 多个武装团体和刚果民主共和国武装部队人员通过黄金开采和黄金交易致富	36
四. 南基伍	38
A. “3·23”运动相关危机和布隆迪-卢旺达紧张关系所产生的影响以及“3·23”运动、刚果河联盟与武装团体之间的关联	38
B. 武装团体参与菲齐县黄金开采和交易情况	41
C. 特韦瓦内霍融资	43
五. 跨境黄金走私	44
六. 建议	46
附件*	48

* 附件仅以来件所用语文分发，未经正式编辑。

一. 导言

1. 刚果民主共和国问题专家组的任务期限于 2023 年 6 月 27 日经安全理事会第 2688(2023)号决议延长。秘书长于 2023 年 7 月 27 日任命了专家组六名成员(见 S/2023/567)。在一名自然资源/金融专家辞职后, 2023 年 10 月 25 日任命了一名新的专家(S/2023/801)。

2. 专家组的最后报告根据第 2688(2023)号决议第 6 段提交。专家组与中非共和国、海地、利比亚、索马里、南苏丹和也门问题各专家组进行了情况交流。

与联合国组织刚果民主共和国稳定特派团的合作

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)提供支持。

满足专家组所提资料索取要求

4. 专家组会晤了若干国家的政府官员、私营部门行为体和组织。专家组共向 25 个会员国、国际组织和私营实体发出了 55 封正式信函。在起草本报告时, 专家组收到了 18 份答复。

5. 专家组感到遗憾的是, 私营部门行为体和会员国对专家组正式提出的资料索取要求所作实质性答复的总体数目很少, 强调指出, 对此类要求作出答复对于专家组的调查至关重要。专家组感到遗憾的是, 访问肯尼亚和坦桑尼亚联合共和国的正式要求仍未得到回应。

方法

6. 专家组采用了安全理事会制裁所涉一般性问题非正式工作组建议的证据标准(S/2006/997)。专家组调查采用至少三个独立可靠来源, 以有关文件和经确证信息为依据。

7. 鉴于刚果民主共和国境内冲突的性质, 没有多少文件可提供关于专家组受权调查的非法活动的确凿证据。因此, 专家组依赖各种来源的目击者证词。专家组还考虑了来自大湖区国家和其他国家的政府官员和军官以及联合国方面的专家证词。

8. 本报告述及截至 2024 年 4 月 10 日所进行的调查。由于字数限制, 专家组将某些证据和调查结果列于本报告附件。

二. 北基伍

A. 民主同盟军

刚果民主共和国和乌干达境内的行动动态

9. 自 2023 年 10 月中旬以来, 民主同盟军的军事活动再度加强, 特别是在贝尼县北部和伊图里省南部(S/2023/990, 第 16 段)。2023 年, 民主同盟军仍然是刚果

民主共和国境内杀人最多的武装团体，造成 1 000 多人被杀，其中主要是平民。¹ 专家组关切地注意到，尽管自 2021 年 11 月“苏加行动”开始以来，民主同盟军袭击安全行为体的次数大幅减少(S/2022/479，第 21 段)，² 但民主同盟军打死的平民人数却同时增加。这符合民主同盟军为回应针对民主同盟军的军事行动而采取报复平民的战略相一致(S/2023/990，附件 8)。民主同盟军试图避免与刚果民主共和国武装部队和乌干达人民国防军(乌国防军)直接接触，针对安全行为体的袭击次数减少即证明了这一点。

10. 民主同盟军仍然高度机动(见附件 1)。虽然这种被迫机动削弱了受制裁武装团体(S/2023/990，第 15 段)，但也对平民造成了负面影响，因为民主同盟军在行动过程中有系统地攻击平民，造成恐慌，导致大规模流离失所。

11. 民主同盟军还对人口较稠密的城镇中心，特别是在新的“死亡三角”³ 周边地区，进行了数次非常致命的袭击(见附件 2)。特别是，民主同盟军加大了 4 号国道沿线对马维维和贝尼地区周围的压力，4 号国道是奥伊沙以西民主同盟军营地与阿布瓦卡西阵地之间的运输走廊，阿布瓦卡西从姆瓦利卡(S/2023/990，附件 8)转移到了姆巴乌-卡曼戈地区。这造成大批人口朝贝尼郊区流离，境内流离失所者在那里建立了定居点，但民主同盟军随后一再袭击这些定居点，原因可能包括这些定居点内有瓦扎伦多分子。⁴ 根据多个消息来源，在 2023 年底公开宣布重点进攻伊图里省民主同盟军据点之后，民主同盟军打算通过重点攻击城镇中心，将“苏加行动”的重心调到这些地区。⁵

12. 民主同盟军继续在乌干达境内活动，包括袭击平民和企图实施爆炸(附件 3)。然而，在 2023 年底乌干达人民国防军打死和逮捕数名实施袭击的战斗人员后，这些活动有所减少。

民主同盟军筹资、再补给和合作者网络

13. 民主同盟军继续依赖合作者提供再补给，包括粮食，以及支持其从事埋设简易爆炸装置等活动(S/2023/990，第 20 段)。被拘留的民主同盟军活动人员招募了一些合作者被(见第 18 段)，另有一些人则遭绑架，被迫成为合作者，以换取获释(见附件 4)。⁶

¹ 联合国消息来源。

² 刚果民主共和国武装部队、刚果国家警察、乌干达人民国防军(乌国防军)和(或)联合国组织刚果民主共和国稳定特派团(联刚稳定团)部队。

³ 此前位于奥伊沙、埃林盖蒂和卡曼戈之间(S/2019/469，第 17 段)。

⁴ 刚果民主共和国武装部队、乌国防军、民间社会、情报机构、研究人员和联合国消息来源。

⁵ 民主同盟军前战斗人员和被绑架者、刚果民主共和国武装部队、乌干达人民国防军、情报、研究人员以及外交和联合国消息来源。

⁶ 民主同盟军前战斗人员、前合作者、曾被绑架者、刚果民主共和国武装部队、乌干达人民国防军、情报、研究人员、外交和联合国消息来源。

14. 布滕博仍然是民主同盟军合作者的引力中心。此外，民主同盟军将其合作者网络扩展到了伊图里，特别是利用了其多年来一直保持联系的大北区那些南德商人和知名人士网络(S/2011/738，第 52 段)。⁷ 这为该团体在伊鲁穆南部、曼巴萨和布尼亚继续扩张和再补给提供了便利，南德人网络在这些地方有强大的经济和政治影响力。

15. 尽管如此，多个消息来源报告说，民主同盟军在财政上举步维艰(见附件 5)。

监狱中的民主同盟军网络

16. 监狱中的民主同盟军网络尤其活跃，特别是在金沙萨，因为自 2020 年 10 月坎巴伊越狱事件以来，民主同盟军的重要被拘留者已被转移到那里(S/2021/560，附件 19)。

17. 专家组约谈了数名被拘留的民主同盟军前战斗人员和合作者，他们解释说，他们在每个监狱都建立了一个有“领导”和副手的组织系统(见附件 6)。这些领导人由受制裁民主同盟军领导人巴卢库(CDi.036)指定，他们经常直接或通过阿米戈等中间人与巴卢库联系，组织对民主同盟军被拘留者的支持，并继续为他们打气。⁸ 多数被拘留的民主同盟军成员仍然能使用电话和其他设施，常常与监狱、司法和情报当局串通，他们贿赂这些当局，或者这些当局也与丛林中的民主同盟军领导人直接接触。通过这些联系，民主同盟军策划了数名民主同盟军重要人物的逃跑，其中包括巴卢库的亲信顾问之一哈穆里(见附件 7)。⁹

18. 此外，民主同盟军被拘留者继续在监狱内外招募和指导战斗人员和合作者，往往利用家庭和朋友关系，主要是在大北区(见附件 8)。¹⁰ 民主同盟军被拘留者从民主同盟军领导人那里收取移动汇款，并把钱款重新分配用于进行招募和鼓动。

受民主同盟军以及伊图里和大北区安全形势影响的武装团体动态

19. 民主同盟军继续利用国家安全行为体在当地力量分散的情况从事活动，特别是在伊图里，原因之一是“苏加行动”能力捉襟见肘，其行动范围必须覆盖远为广泛的行动区，以应对民主同盟军的机动性。此外，“苏加行动”消耗了刚果民主共和国武装部队的许多兵力，那些兵力继续被部署到小北区以打击“3·23”运动和卢旺达国防军。¹¹

⁷ 同上。

⁸ 民主同盟军前战斗人员和合作者、刚果民主共和国武装部队、研究人员、情报和安全部门消息来源。

⁹ 同上。

¹⁰ 民主同盟军前战斗人员和合作者、刚果民主共和国武装部队、研究人员以及情报、安全和联合国消息来源。

¹¹ 刚果民主共和国武装部队、情报、研究人员、民间社会、外交和联合国消息来源。

20. 民主同盟军的活动，特别是其在伊图里的扩张和最近在贝尼郊区的袭击，影响了其他武装团体的动态和活动，而现有的安全真空又加剧了这种影响。正如过去所观察到的那样(S/2022/479，第 30 段)，民主同盟军还利用并助长了族群间和地方性的紧张关系，引发地方武装团体的参与。

21. 据报告，在民主同盟军活动的许多地区，玛伊-玛伊和其他团体的活动出现增多。¹² 人民爱国力量/人民军、伊图里爱国抵抗力量和解放刚果爱国者联盟等武装团体利用“瓦扎伦多”身份和打击民主同盟军作为借口，企图使其扩张和活动合法化(见第 60 段)。特别是，人民爱国力量/人民军在 2022 年左右从卢贝罗县转移到伊图里，主要是为了保护比亚卡托和曼吉纳周围一些南德商人的利益，随后在 2023 年又向曼巴萨和科曼达扩展(见附件 9)。¹³ 这引发了与刚果民主共和国武装部队的冲突，人民爱国力量/人民军认为刚果民主共和国武装部队无法保护民众。人民爱国力量/人民军还与伊图里爱国抵抗力量发生冲突，后者以打击民主同盟军为幌子，开始向科曼达扩张。2024 年 1 月，人民爱国力量/人民军和 Chini ya Tuna 正式同意与刚果民主共和国武装部队合作打击民主同盟军，这表明刚果民主共和国当局继续使用代理人(见附件 10)。

22. 这些武装团体一方面声称保护民众，另一方面却犯下杀戮、绑架和非法征税等暴行。¹⁴ 它们的行动也与地方动态交织在一起，常常受地方当局、刚果民主共和国武装部队、商人和政客的操纵，社交媒体的推波助澜则加剧了紧张局势和暴力。刚果民主共和国武装部队的虐待和不当行为也使安全局势恶化。¹⁵ 自 2023 年 11 月以来，经常有谣言和指控称，武装团体和刚果民主共和国武装部队应当对最初归咎于民主同盟军的袭击事件负责，这导致曼吉纳等地的暴力行为激增。曼吉纳袭击事件的凶手身份仍有争议。¹⁶

B. 刚果河联盟

23. 12 月 15 日，即 2023 年 12 月 20 日大选前几天，刚果民主共和国全国独立选举委员会前主席 Corneille Nangaa Yobeluo 在内罗毕举行新闻发布会期间发起了一个名为“刚果河联盟”的政治军事运动(见附件 11)。

24. 刚果河联盟承诺团结各武装团体、政党和民间社会组织，以重建国家，解决助长冲突反复发生的根本问题，实现刚果民主共和国的持久和平。¹⁷

25. 刚果河联盟经过数月筹备后成立，其领导人南加前往大湖区内外的几个国家(见附件 12)，争取不同行为体的支持。特别是，他与受制裁的“3·23”运动

¹² 刚果民主共和国武装部队、情报、研究人员、民间社会和联合国消息来源。

¹³ 同上。

¹⁴ 同上。

¹⁵ 刚果民主共和国武装部队、乌国防军、情报、研究人员、民间社会、外交和联合国消息来源。

¹⁶ 同上。

¹⁷ 见 <https://alliancefleuvecongo.org/a-propos>。

(CDe.006)进行了长时间的谈判。¹⁸ 据多个消息来源称，“3·23”运动和卢旺达政府认为，刚果河联盟是使“3·23”运动及其主张合法化的一个机会，同时可减弱卢旺达在危机中的角色。此外，如果刚果河联盟获得刚果各利益攸关方广泛联盟的支持，“3·23”运动就可能被重新定义为一个刚果问题。¹⁹ 据说，乌干达和肯尼亚的知名人士也支持建立刚果河联盟。²⁰ 刚果河联盟在肯尼亚成立，使肯尼亚与刚果民主共和国之间的外交关系恶化(见附件 13)。

26. 在刚果河联盟启动仪式上，“3·23”运动政治领导人贝特朗·毕西姆瓦与南加站在一起，这证实了“3·23”运动与刚果河联盟之间的结盟关系。来自南基伍的几个武装团体的代表也出席了仪式(见第 186 段)。刚果河联盟的最初声明——随后很快从互联网上删除——列出了支持该运动的几个武装团体和政治实体，尽管其中许多很快否认与刚果河联盟有联系或支持刚果河联盟(见附件 14)。

27. 启动后不久，南加被任命为刚果河联盟——“3·23”运动同盟的全国协调人。毕西姆瓦成为副政治协调人，“3·23”运动政治发言人劳伦斯·坎尤卡成为刚果河联盟的通讯联络人。“3·23”运动几名领导人被任命为刚果河联盟的官员(见附件 15)。专家组指出，向受制裁的“3·23”运动提供支持构成应予制裁的行为。

28. 自 2023 年 12 月以来，刚果河联盟代表一直穿梭于南基伍、北基伍和伊图里以及肯尼亚、卢旺达、坦桑尼亚联合共和国和乌干达，意欲继续获得武装团体、政治行为体和社区领袖的支持。南加在该地区以及在“3·23”运动控制区广泛游走(见附件 16)。2024 年 3 月下旬，刚果河联盟在鲁丘鲁县的基万加举行集会，南加在集会上威胁要征服戈马和金沙萨，预示着一场政变(见附件 17)。在那次集会上，南加与加入刚果河联盟的知名政治人物一起露面(见附件 18)。其他政治行为体也宣布加入或被指加入了刚果河联盟(见附件 19)。

29. 虽然最初声明中提到的大多数武装团体都否认加入了刚果河联盟，但有些武装团体后来接受或设想加入刚果河联盟(见第 187 和 188 段)。在起草本报告时，刚果河联盟尚未达到其对刚果民主共和国政治和军事格局产生重大影响的目标。

C. “3·23”运动和卢旺达国防军

地盘扩张和行动

30. 自起草专家组中期报告(S/2023/990)以来，“3·23”运动危机加剧，增加了进一步升级的风险，包括在已采取区域建设和平举措的情况下仍升级成更大范围的区域冲突的风险(见附件 20)。

¹⁸ 刚果河联盟、外交消息来源、政治行为者、研究人员以及情报、安全和联合国消息来源。

¹⁹ 情报、安全、外交和联合国消息来源、研究人员、与“3·23”运动和卢旺达联系密切的个人。

²⁰ 同上。

31. 2024 年 1 月下旬，“3·23”运动协同卢旺达国防军、“瓦扎伦多”旗号下各地方武装团体所支持的刚果民主共和国武装部队以及解放卢旺达民主力量(卢民主力量)、两个私营军事公司和布隆迪国防军之间再度爆发激烈战斗(见第 81-87 段；S/2023/990，第 43-46 段和摘要)。南部非洲发展共同体(南共体)于 2023 年 12 月 15 日部署部队，打击“3·23”运动。2023 年 12 月促成的临时停火只维持短暂时间(见附件 21)。

32. 尽管有多个军事行为体支持刚果民主共和国政府(S/2023/431，第 47 和 48 段)，但“3·23”运动和卢旺达国防军的军事集结和优势战斗力(见第 37 和 43-54 段)使其能够迅速扩大其控制区。2024 年 2 月“3·23”运动和卢旺达国防军在与刚果民主共和国武装部队、瓦扎伦多武装团体和卢民主力量激战后，占领了萨凯周围的新地区，从而切断了连接戈马与南基伍的最后一条补给线(见第 41 段)。“3·23”运动袭击南基伍省米诺瓦附近基伍湖上的民用和军用船只，进一步影响了南部轴线沿线的军事后勤和平民贸易。²¹

33. 2024 年 3 月初，“3·23”运动和卢旺达国防军在戈马以北快速推进，攻克鲁丘鲁县新的战略地区和城镇，占领了卢民主力量和尼亚图拉民兵据点，包括尼扬扎勒、基比里齐和鲁温迪(见第 42 和 62 段)，以及爱德华湖沿岸的 Vitshumbi。在卢旺达国防军和“3·23”运动到达之前，刚果民主共和国武装部队从其在鲁温迪的主要军营撤退，避免战斗，但留下了一些军事后勤设备(见第 42 段)。

34. 到 2024 年 4 月初，“3·23”运动和卢旺达国防军的影响范围达到了最高点，与 2023 年 11 月相比扩大了 70%，包括其以前从未控制过的新地区(附件 22)。“3·23”运动和卢旺达国防军实际上包围了戈马，逐步控制了通往戈马的所有通道和供应路线，只有一条道路直接通向卢旺达。“3·23”运动和卢旺达国防军攻占卡尼奥巴贡加、进入卢贝罗县并沿萨凯-米诺瓦公路进一步向南推进的风险仍然很高。²²“3·23”运动和卢旺达国防军的地盘扩张引发了“3·23”运动/卢旺达国防军与刚果民主共和国武装部队联盟在鲁丘鲁县、马西西县和尼拉贡戈县多条战线上的持续冲突和猛烈炮击，²³造成大量平民伤亡和大量人口流离失所(见第 93-98 段)。它还造成交战各方的重大伤亡(S/2023/990，第 30 段)。²⁴

“3·23”运动重组、训练和招募

35. 2023 年底和 2024 年初，刚果民主共和国武装部队在私营军事公司的支持下，成功地对“3·23”运动基地、军火库、招募中心和领导层实施了 CH-4 无人机袭击，迫使“3·23”运动进行重整(见附件 23)。2024 年 1 月 16 日，“3·23”运动军事情报主管 Castro Mberabagabo “上校”在一次无人机袭击中

²¹ 目击者、联合国、刚果民主共和国武装部队和安全部门消息来源。

²² 目击者、联合国、刚果民主共和国武装部队、安全和情报消息来源以及“3·23”运动战斗人员。

²³ 联合国、刚果民主共和国武装部队和安全部门消息来源、瓦扎伦多和“3·23”运动战斗人员以及保密文件。

²⁴ 同上。

丧生，“3·23”运动财务主管 Erasto Bahati Musanga 也受伤，多名“3·23”运动战斗人员受伤和死亡。这一事件导致“3·23”运动军事和文职人员获得新的任命和晋升。这次重整得到广泛宣传，以鼓舞士气，巩固该运动的政治军事权威(见附件 24)和“3·23”运动设立的平行行政当局(见附件 25；S/2022/967，附件 23)。Imani Nzenze “上校”取代 Castro，成为“3·23”运动的“G2”情报主管，这是该运动内部的一个关键职位。

36. “3·23”运动领导层仍由在 Tchanzu 活动的受制裁人员 Sultani Makenga(CDi.008)“将军”负责总体军事指挥。卢旺达国防军军官批评他不接近自己的部队，于是他去了布纳加纳、基尚加和鲁曼加博。²⁵ Imani Nzenze “上校”、Gacheri Erasto “将军”(Bernard Byamungu “准将”的副手)、Bahati Erasto(财务主管)、Benjamin Nzabonimpa(执行秘书)和 Jeff Kabayiza “上校”(后勤主管)是 Makenga 最密切的合作者和心腹。²⁶ Bernard Byamungu “准将”和 Baudoin Ngaruye “将军”是最高指挥官，负责协调军事行动(见第 53 和 107 段)。Ngaruye 仍与卢旺达保持密切联系，据报卢旺达更信任 Ngaruye 而不是 Makenga(S/2023/990，附件 17)。²⁷

37. “3·23”运动的军事能力得到了进一步强化，包括在北基伍、乌干达和卢旺达进行强迫和自愿招募，包括招募儿童(见第 100-108 段)，以及训练新兵。2024 年 4 月初，估计有 3 000 名“3·23”运动战斗人员活跃在小北区。²⁸

38. “3·23”运动新兵在其 Tchanzu 主要军事基地接受训练(见附件 26)。在 Rutshuru、Bwito、Bwiza 或 Nyongera 等其他军事中心也组织了训练。²⁹ 训练持续了几个月，除了因行动需要而加快训练外，训练内容包括阅兵、纪律、战术训练和思想意识灌输。³⁰

39. 最近被俘或投降的“3·23”运动战斗人员证实，Léon Kanyamibwa “上校”仍在 Ernest Sebagenzi “上尉”和 Moïse Byinshi “上校”等人的支持下指挥军事训练(见第 106-108 段；S/2023/431，第 51 段)。³¹ “3·23”运动战斗人员还报告说，在 Tchanzu 驻有卢旺达国防军训练教官(见第 108 段；S/2023/990，第 28 段)。³² 在起草本报告时，卢旺达国防军正在布纳加纳进行“领导能力培训”。³³

²⁵ 接近“3·23”运动和卢旺达的消息来源。

²⁶ 同上。

²⁷ 接近“3·23”运动和卢旺达的消息来源以及情报消息来源。

²⁸ 情报、“3·23”运动消息来源和保密文件。

²⁹ 前新兵和保密消息来源。

³⁰ 前新兵和保密消息来源以及联合国、军事和情报消息来源。

³¹ “3·23”运动战斗人员和保密文件。另见 S/2023/431 第 51 段。

³² “3·23”运动战斗人员、卢旺达国防军一名军官和保密文件。

³³ 卢旺达国防军一名军官和情报部门消息来源。

卢旺达国防军对“3·23”运动和占领地盘的重要支持

40. 专家组获得了进一步的证据——经核实的照片、无人机拍摄画面、录像、证词和情报——证实卢旺达国防军有计划地侵入边境并加强在小北区的存在，卢旺达国防军的人数与“3·23”运动不相上下，甚至超过了“3·23”运动(见第 37 和 43 段)。卢旺达国防军在前线部署人员，使用高科技武器，直接参与战斗。它的存在对于打退刚果民主共和国武装部队-瓦扎伦多的联合进攻以及占领小北区新地盘至关重要(见附件 27)。

41. 2024 年 1 月，至少有 1 000 名卢旺达国防军士兵通过鲁丘鲁县的基布姆巴以东多个过境点进入刚果民主共和国，并部署到重要军事阵地。继这一增援之后，卢旺达国防军和“3·23”运动于 2 月 3 日控制了 Shasha 村，这是通往基伍湖的战略通道。卢旺达国防军在萨凯周围的山上保持着作战阵地，在起草本报告时，它仍然占领着这些阵地。2023 年 4 月初，卢旺达国防军控制了萨凯西北部联刚稳定团撤出的 3 个阵地(见附件 28)。在起草本报告时，500 名卢旺达国防军战斗人员和 500 名“3·23”运动战斗人员控制了萨凯北部、西部和南部地区，“3·23”运动战斗人员由受制裁人员 Baudoin Ngaguye(CDi.019)和 Bernard Byamungu(CDi.038)以及 Julien Mahano Baratuje 指挥。³⁴

42. 有视频拍摄到 2023 年 3 月 9 日大批装备精良的卢旺达国防军士兵抵达鲁丘鲁北部的鲁温迪(见附件 29)。卢旺达国防军 Callixte Migabo 上校指挥的部队建立阵地并占领了该地区，一天后，“3·23”运动战斗人员抵达。卢旺达国防军和“3·23”运动对鲁温迪的简易机场特别感兴趣，因为那里能够起降轰炸机。同样，“3·23”运动对较小的卡塔莱简易机场表现出了兴趣。卢旺达国防军控制鲁温迪后，刚果民主共和国武装部队从 Vitshumbi 进一步撤退，使 Ernest Sebagenzi “上校”指挥的“3·23”运动得以占领爱德华湖沿岸的这个镇，该镇以利润丰厚的渔业闻名。

43. 在起草本报告时，保守估计有 3 000 至 4 000 名卢旺达国防军士兵部署在尼拉贡戈、鲁丘鲁和马西西县。³⁵ 其中许多隶属于第 2 和第 3 师，后者由 Eugène Nkubito 少将指挥。卢旺达国防军特种部队由 Augustin Ryarasa Migabo 中校指挥，他接受 Ruki Karusisi 少将领导(S/2023/431，第 59 段；S/2023/990，第 30 段)。³⁶ 附件 30 提供了关于参与策划和(或)指挥刚果民主共和国境内行动的卢旺达国防军军官、卢旺达国防军已部署的旅和营以及由前卢民主力量战斗人员组成的支援和侦察小队的补充资料。

³⁴ 保密文件以及联合国、安全部门、刚果民主共和国武装部队和瓦扎伦多消息来源。

³⁵ 情报和安全部门消息来源、接近“3·23”运动和卢旺达国防军的消息来源以及保密文件。

³⁶ 卢旺达国防军一名军官，情报和“3·23”运动消息来源以及保密文件。

44. 卢旺达国防军在这三个县的军事干预和行动对于在 2024 年 1 月至 3 月成功大幅扩张地盘至关重要(见第 34 段)。³⁷ “3·23”运动战斗人员和两名卢旺达国防军军官解释说,“3·23”运动之所以有能力在几个轴线和战场同时开展行动,是因为有了卢旺达国防军的军事和战略支持。2024 年 2 月和 3 月,若干国家政府以及欧洲联盟外交与安全政策高级代表要求卢旺达停止对“3·23”运动的一切支持,并立即从刚果民主共和国撤出所有卢旺达国防军人员(见附件 31)。³⁸ 4 月 5 日,安全理事会谴责“外国向‘3·23’运动提供了军事支持”(见附件 32)。

45. 专家组指出,在被指认团体“3·23”运动争夺地盘期间卢旺达国防军的系统性支持和存在,是一种应予制裁的行为。此外,在刚果民主共和国领土上部署卢旺达国防军,即卢旺达国家武装部队,侵犯了刚果民主共和国的主权和领土完整。卢旺达国防军对“3·23”运动各种行动的实际控制和指挥也使卢旺达对“3·23”运动的行动负有责任。

使用先进的军事技术和装备

46. 据专家组记录,“3·23”运动和卢旺达国防军在其控制区进一步流散和使用先进军事技术和装备(S/2023/990,第 31 和 32 段),从而提供了更多明确证据,证明“3·23”运动得到了外部作战支持,主要是卢旺达国防军提供的支持,而这种支持构成违反武器禁运的行为。

短程防空系统

47. 2024 年 2 月 7 日,一架无人驾驶飞机在鲁丘鲁县 Bumbi 观察到一个架设旋转雷达和地对空导弹的移动式短程防空系统,该地区当时处于“3·23”运动/卢旺达国防军控制下(见附件 33)。据报在鲁丘鲁县 Kibumba 和 Mabenga 附近还有两个短程防空系统。³⁹ 2 月 6 日,短程防空系统击落了刚果民主共和国武装部队的一架 CH-4 武装无人机(见第 35 段),此外,2 月 7 日,该系统瞄准了联刚稳定团的一架无人机,但未能击中,该无人机属于联合国维持和平资产(见附件 34)。

48. 安全和情报消息来源报告说,卢旺达国防军操纵该短程防空系统。⁴⁰ 在 2024 年 2 月 17 日一份公报中,美利坚合众国促请“卢旺达立即[……]拆除其地对空导弹系统,这些系统威胁到平民、[联合国]和其他区域维和人员、人道主义

³⁷ 情报、安全、刚果民主共和国武装部队、瓦扎伦多、民间社会和“3·23”运动消息来源以及目击者。

³⁸ 美利坚合众国公报(见 www.state.gov/escalation-of-hostilities-in-eastern-democratic-republic-of-the-congo)和法国公报(见 www.diplomatie.gouv.fr/fr/dossiers-pays/republique-democratique-du-congo/evenements/article/republique-democratique-du-congo-situation-a-l-est-du-pays-20-02-24)。

³⁹ 联合国、民间社会、安全和情报消息来源以及保密文件。

⁴⁰ 情报消息来源和接近卢旺达的消息来源。

行为体以及[刚果民主共和国]东部商业航班的生命安全”——其他国家政府后来重申了这一呼吁。⁴¹

49. 在该地区部署短程防空系统以及“3·23”运动和卢旺达国防军其他防空能力(见附件 35)，大大强化了“3·23”运动和卢旺达国防军的作战能力，并影响了小北区的冲突动态。刚果民主共和国武装部队和私营军事公司决定暂时停飞其所有航空资产，这反过来又使“3·23”运动和卢旺达国防军得以重整和巩固实力。⁴² 短程防空系统也加大了联刚稳定团航空资产成为攻击目标的风险，“3·23”运动已一再这样做。⁴³

无人机投放迫击炮弹

50. 2024 年 2 月 17 日至 18 日夜间，一枚 81 毫米迫击炮弹击中戈马机场停机坪上的一架刚果民主共和国武装部队苏霍伊飞机并使其瘫痪(见附件 36)。第二枚炮弹没有击中刚果民主共和国武装部队的一架直升机。⁴⁴ 迫击炮弹是由一架四螺旋桨商用无人机投放的。⁴⁵ “3·23”运动和包括来自卢旺达的情报来源告诉专家组，此次袭击是“3·23”运动所为。

51. 在 2024 年 2 月之前，刚果民主共和国未曾记录过有人使用商用无人机挂载迫击炮弹或其他爆炸物，包括诸如该国共和国卫队特种部队在 Kimoka 针对联刚稳定团使用的那类简易爆炸装置(见附件 37)。专家组指出，这种无人机袭击的扩散可能大大改变小北区的冲突动态。此次无人机袭击也突显戈马国际机场的脆弱性，“3·23”运动和卢旺达国防军此前曾威胁要围攻该机场。⁴⁶

制导迫击炮弹

52. 另据专家组记录，“3·23”运动和卢旺达国防军使用了 120 毫米制导迫击炮弹，这些炮弹具有精确打击能力和高杀伤力——这是刚果民主共和国境内以前未曾记录过的一种迫击炮弹(S/2023/990，第 31 和 32 段)。所记录的迫击炮弹类似于以色列制造的 IMI 或 Elbit 系统(见附件 38)。

53. 图像证实了一名卢旺达国防军军官和“3·23”运动战斗人员的报告，即卢旺达国防军在小北区配备并使用了制导迫击炮(见附件 39)。此外也针对南共体部队使用了 120 毫米迫击炮(见附件 40)。受制裁的“3·23”运动 Baudoin

⁴¹ 美利坚合众国公报(见 www.state.gov/escalation-of-hostilities-in-eastern-democratic-republic-of-the-congo)。

⁴² “3·23”运动、刚果民主共和国武装部队、安全和情报消息来源、保密文件和图像。

⁴³ 见 https://x.com/lawrencekanyuka/status/1750042492416704626?s=46&t=_n75XfLAIYyaxKQtM7ZzVg。

⁴⁴ 安全部门和刚果民主共和国武装部队的消息来源。

⁴⁵ 安全部门和刚果民主共和国武装部队消息来源以及目击者。

⁴⁶ 安全和情报消息来源以及接近“3·23”运动/卢旺达国防军的消息来源。

Ngaruye “将军”的部队(S/2023/431, 第 50 段)也配备了制导迫击炮系统(见附件 41)。

54. 附件 42 提供了关于“3·23”运动和卢旺达国防军所用武器的补充信息。

乌干达参与支持“3·23”运动和刚果河联盟

乌干达人民国防军和军事情报总局的支持

55. 自“3·23”运动危机再次爆发以来,乌干达没有阻止“3·23”运动和卢旺达国防军部队在其领土上的存在或取道其领土,包括“3·23”运动 2022 年 6 月 12 日在卢旺达国防军支持下占领布纳加纳期间(S/2022/967, 第 52 段)。

56. 尽管有证据证明,“3·23”运动和卢旺达国防军的部队、车辆和军用物资经常取道乌干达领土,但乌干达政府,包括其军事情报部门,声称自“3·23”运动危机开始以来,未曾记录到其领土上存在任何外国部队或物资。⁴⁷然而,这些活动规模大且频率高,这种存在极不可能不被发现。例如,自 2022 年以来,“3·23”运动战斗人员一直报告说,运至其营地的物资和新兵来自乌干达边境城镇基索罗和布纳加纳。

57. 专家组还获得证据,证实某些乌干达人民国防军和军事情报总局官员积极支持“3·23”运动。情报消息来源和接近“3·23”运动的个人还证实,至少自 2023 年年底以来,乌干达军事情报官员就一直在布纳加纳,与“3·23”运动领导人进行配合,提供后勤,以及将“3·23”运动领导人运送到“3·23”运动控制的地区。此外,多个消息来源目击乌干达士兵于 2024 年 1 月 27 日取道基塔戈马进入刚果民主共和国,并在“3·23”运动控制区,特别是在 Busanza 居住区和鲁丘鲁镇开展行动,有一支队伍从那里出发前往通戈,其他队伍则前往马本加。⁴⁸

58. 值得注意的是,“3·23”运动领导人,包括受制裁个人 Sultani Makenga,违反旅行禁令前往恩德培和坎帕拉。⁴⁹

坎帕拉的“3·23”运动和刚果河联盟

59. 在本报告所述期间,有证据表明“3·23”运动和刚果河联盟在乌干达境内频繁活动。刚果河联盟领导人,包括最近居住在坎帕拉的 Corneille Nangaa,与刚果武装团体的代表和与“3·23”运动有密切联系的人员举行了会议。Nangaa 和 Lawrence Kanyuka⁵⁰ 受益于乌干达公众人物 Andrew Mwenda 的支持,于 2024 年 3 月接近坎帕拉的几个大使馆,抗议针对“3·23”运动领导人实施的制裁,

⁴⁷ 2024 年 3 月 5 日专家组与乌干达政府和乌干达人民国防军官员在坎帕拉举行的会议。

⁴⁸ 社区消息来源、外国目击者和“3·23”运动战斗人员,并得到外国情报部门证实。

⁴⁹ 情报和外交消息来源以及接近“3·23”运动的个人。

⁵⁰ Lawrence Kanyuka 2024 年 3 月 18 日在坎帕拉。

并争取人们对刚果河联盟和“3·23”运动事业的同情。⁵¹ Mwenda 长期以来一直被认为是乌干达政府和卢旺达政府之间的联络人。⁵²

D. 政府使用代理人以及当地存在众多军事行为体

瓦扎伦多武装团体作为刚果民主共和国政府的代理人

瓦扎伦多和刚果民主共和国武装部队的协作和行动

60. 刚果民主共和国政府继续利用北基伍各武装团体，包括受制裁的卢民主力量(CDe.005)(见第 70-79 段)，以打击“3·23”运动和卢旺达国防军(S/2023/990，摘要和第 33-40 段)。2023 年 9 月，政府从来自北基伍的瓦扎伦多武装团体中挑选成员创建了保卫祖国志愿者联盟(志愿者联盟)，作为其“正式”代理部队。新的名称旨在将其与同样使用瓦扎伦多旗号的其他刚果武装团体区别开来(S/2023/990，第 39 段)。刚果民主共和国武装部队与志愿者联盟之间的协作是系统而协调的。⁵³ 这使志愿者联盟武装团体深信，他们将会快速编入国防后备部队，即刚果民主共和国国防预备役部队(见第 80 段；和 S/2023/990，第 41 段。)然而，当地各行为体仍然交替使用“志愿者联盟”和“瓦扎伦多”这两个词。在本报告中，志愿者联盟一词是指政府正式设立的代理军队(S/2023/990，第 39 段)。除了志愿者联盟核心代理军队外，许多其他瓦扎伦多战斗人员也参与了战斗。

61. 志愿者联盟的整体军事指挥权被移交给受制裁的恩杜马保卫刚果民兵组织-革新派奎顿系领导人奎顿·希米莱·姆维萨(CDi.033)(见附件 43)。⁵⁴ 自由主权刚果爱国者联盟领导人让维埃·卡莱里·波因戈成为情报部门负责人，尼亚图拉民兵-促进变革运动联合会-保卫人民力量的领导人多米尼克·恩达卢胡泽(别名多米)协调军事行动、行政和后勤，尼亚图拉民兵-促进变革运动联合会-保卫人民力量发言人 Jules Mulumba 担任志愿者联盟发言人兼驻金沙萨联络官，负责与刚果民主共和国当局联络。Mulumba 定期前往金沙萨，会晤费利克斯·安托万·齐塞克总统、护卫队队长 Franck Ntumba 将军和陆军参谋长 Christian Tshiwewe Songhesha 将军(见附件 44；S/2023/990，附件 23 和 24)。

62. 从 2023 年 12 月至 2024 年 4 月，志愿者联盟与瓦扎伦多其他战斗人员一起积极从事战斗，特别是在卢萨约、卡鲁巴、姆韦索、穆萨基、鲁温迪、尼扬扎勒和萨凯周围。志愿者联盟和瓦扎伦多其他战斗人员要么单独地，要么与刚果民主共和国武装部队和布隆迪部队一道，守护米诺瓦和萨凯等战略城镇(见第 32 和 83 段)，进行战略部署，以阻挡“3·23”运动和卢旺达国防军向南基伍推进，并牵头发动进攻，以夺回“3·23”运动和卢旺达国防军控制的鲁温迪和尼扬扎

⁵¹ 外交消息来源。

⁵² 情报、外交消息来源和一名研究员。另见 http://democracyinafrica.org/wp-content/uploads/2021/09/The-Shadow-State-in-Africa-Report_FOR-INSTANT-UPLOAD_COMPRESSED_10-November_COMPRESSED.pdf，第 79 页。

⁵³ 刚果民主共和国武装部队、瓦扎伦多、安全和情报消息来源以及刚果民主共和国官员。

⁵⁴ 战斗人员、军事情报、刚果民主共和国武装部队和民间社会消息来源及研究人员。

勒等地区。在起草本报告时，那里正在发生激烈的战斗(见第 42 段和附件 45)。许多志愿者联盟和瓦扎伦多战斗人员伤亡(S/2023/431，第 84 段)。

63. 北基伍省省长彼得·西里姆瓦米少将办公室负责协调志愿者联盟的行动。⁵⁵ 刚果民主共和国武装部队参谋部派驻戈马的 Cyprien Sekololo 上校是刚果民主共和国武装部队和志愿者联盟之间的直接联络人，同时也负责提供军事装备(S/2023/990，附件 25)。志愿者联盟消息来源报告说，西里姆瓦米办公室每月收到 30 万美元，用于管理志愿者联盟各武装团体。然而，其他消息来源报告说，政府为支持武装团体提供的资金至少是这一数额的两倍。⁵⁶

64. 刚果民主共和国武装部队继续向志愿者联盟领导人和战斗人员提供武器和后勤(见附件 46；和 S/2023/990，第 39 段。)

65. 志愿者联盟参与战斗以及刚果民主共和国武装部队向这一武装团体联盟提供武器和后勤——所有这些都是应受制裁的行为——被刚果民主共和国武装部队军官和政府官员一再称作是一种“必要之恶”。专家组指出，这种对武装团体的依赖反映刚果民主共和国安全和武装部队结构混乱和薄弱，刚果民主共和国武装部队军官和接近总统的个人也确认了这一点(S/2023/431，第 84 和 85 段)。在此背景下，2024 年 2 月 9 日，对国防和安全部队人员叛逃和“通敌”案件暂停执行死刑 21 年的规定被取消(S/2022/967，第 38 段)。政府官员以及安全部门和刚果民主共和国武装部队消息来源报告说，解除禁令的目的是阻遏更多人叛逃和通敌，加入“3·23”运动(见附件 47)。

保卫祖国志愿者联盟内部的分歧

66. 尽管建立了指挥和协调结构，但志愿者联盟仍然是一个松散的联盟，每个武装团体都保持自己独立的指挥结构(S/2023/431，第 75-78 段；S/2023/990，第 33-40 段)。在前线，志愿者联盟各团体常常在联合指挥部领导下实施行动，例如在萨凯，Kambuzi(自由主权刚果爱国者联盟)和 Shangwe Dynamique(又称“捍卫人民权利力量”)据称指挥了这些行动(见第 112 段)。

67. 志愿者联盟和瓦扎伦多的领导人和战斗人员一再抱怨联盟内部协调不力，缺乏团结、信任和纪律。由于每个团体都热衷于保护自身利益，掌控其控制区的税收，并从刚果民主共和国政府所提供资源中获得最大收益，因此志愿者联盟领导层内部的个人对立以及各武装团体之间的竞争一再发生(见第 131、132 和 140-144 段)。⁵⁷

68. 2023 年 12 月下旬，若干武装团体及其领导人——Kasereka Kasyano Kabidon “将军”(人民爱国阵线/人民军)，Mapenzi “将军”(恩杜马保卫刚果民兵组织-革新派/布维拉派系)，Ephrem Izabayo Kabasha(人民自卫运动/人民自卫军)，

⁵⁵ 安全部门、刚果民主共和国武装部队和瓦扎伦多消息来源。

⁵⁶ 安全和情报消息来源。

⁵⁷ 保卫祖国志愿者联盟领导人和战斗人员以及安全和联合国消息来源。

Bigabo “少将” (促进变革运动联合会/刚果人民武装部队)、“玛伊-玛伊”民兵基法法派和愤怒公民组织哈马孔博派——脱离了志愿者联盟，成立了一个新的联盟，即共同抵抗阵线。这个联盟声称的目标是“消除[刚果民主共和国]东部不稳定的根源，促进当地和平共处”(见附件 48)。与此同时，多个消息来源报告说，这一派系之所以脱离，是因为它怀疑刚果河联盟、“3·23”运动和(或)卢旺达接触了志愿者联盟的部分领导人，而且这些领导人正在实施叛逃。⁵⁸ 人民自卫运动/人民自卫军领导人 Ephrem Kabasha 向专家组报告说，他已经加入刚果河联盟的队伍。

保卫祖国志愿者联盟/瓦扎伦多与政府的会晤

69. 2024 年 4 月 8 日，来自南基伍、北基伍和伊图里的 48 名武装团体领导人应总统要求前往金沙萨。讨论的问题包括加强瓦扎伦多各团体之间的团结，以及澄清被制裁的武装团体解放卢旺达民主力量——救世战斗军(卢民主力量-救世战斗军)是一个盟友，尽管国际上对刚果民主共和国政府施加压力，要求其停止与该团体合作。会议还旨在筹备针对“3·23”运动和卢旺达国防军的新行动(见附件 49)。

刚果民主共和国政府利用解放卢旺达民主力量作为代理人

刚果民主共和国武装部队与解放卢旺达民主力量-救世战斗军继续合作

70. 2023 年 11 月 21 日，在外交压力要求刚果民主共和国政府与卢民主力量-救世战斗军保持距离(S/2023/990，第 33-36 段)⁵⁹ 之后，刚果民主共和国武装部队参谋长 Christian Tshiwewe 中将发布指示，禁止刚果民主共和国武装部队与卢民主力量之间的合作(见附件 50)。然而，卢民主力量-救世战斗军仍然是支持刚果民主共和国武装部队的联盟的一部分，而且在起草本报告时仍继续活跃在前线阵地，包括应刚果民主共和国武装部队的要求。⁶⁰

71. 卢民主力量-救世战斗军战斗人员单独或与刚果民主共和国武装部队、志愿者联盟和布隆迪国防军部队一起，与“3·23”运动和卢旺达国防军交战，特别是在 Karengera、Rusayo、Kibati 和 Kanyamahoro 周围地区，这些地区都是卢民主力量-救世战斗军的传统据点。卢民主力量-救世战斗军还在尼拉贡戈县的战略要地、特别是萨凯周围发生交火。⁶¹

72. 卢民主力量指挥官 Fidel Sebagenzi 是卢民主力量-救世战斗军和志愿者联盟之间的联络人，也是受制裁的卢民主力量-救世战斗军军事指挥官 Ntawunguka Pacifique “少将”(别名 Omega Israel(CDi.024))和北基伍省省长 Cirimwami 少将之

⁵⁸ 战斗人员、民间社会、刚果民主共和国武装部队、军事情报、联合国消息来源和研究人员。

⁵⁹ 外交和情报消息来源。

⁶⁰ 战斗人员、解放卢旺达民主力量(卢民主力量)领导人、安全部门、刚果民主共和国武装部队、民间社会和情报消息来源及研究人员。

⁶¹ 战斗人员、情报、安全、联合国和民间社会消息来源以及研究人员。

间的联络人。刚果民主共和国武装部队还违反武器禁运，向卢民主力量-救世战斗军提供军事装备和资金，以换取其在打击“3·23”运动过程中发挥作用。⁶²

解放卢旺达民主力量-救世战斗军的结构和改组

73. 自2022年“3·23”运动和卢旺达国防军首次袭击卢民主力量-救世战斗军基地(S/2023/431, 第86-90段)以来, 卢民主力量-救世战斗军的主要领导人和许多战斗人员被打死。卢民主力量-救世战斗军还失去了一些重要阵地(S/2022/479, 第73和74段; S/2023/431, 第86段), 被迫将其总部从通戈迁往鲁丘鲁县更南边的肖夫。⁶³ 为了防止其队伍被歼灭, 卢民主力量-救世战斗军领导层决定按地理位置分开行动。在尼拉贡戈县卢萨约设立了一个行动指挥机构, 由 Sirkoof “上校” (别名 Gustave Kubwayo) 指挥。第二个行动指挥机构已迁至马西西县的穆班比罗和萨凯, 由 Oreste Ndatuhoraho “上校” (别名 Marinet) 指挥。⁶⁴

74. 受到制裁的 Omega Israel “少将” 仍然是卢民主力量-救世战斗军的军事总指挥, Victor Byiringiro “将军” (别名 Rumuri 或 Rumuli) 则继续担任卢民主力量-救世战斗军政治派别的临时主席。Cyprien Uzabakiriko “少将” (别名 Ave Maria 或 Mugisha Kolomboka) 担任 Rumuri 的副手兼卢民主力量-救世战斗军情报官。Niyiturinda Placide (别名 Cure Ngoma) 是卢民主力量-救世战斗军的发言人(见附件 51)。⁶⁵

75. 2023年12月2日, 受制裁个人 Protogène Ruvugayimikore (别名 Gaby Ruhinda “上校”)(CDi.037), 当时是卢民主力量-救世战斗军特种部队(称为“纵深搜索和行动突击队”)的指挥官, 被卢民主力量-救世战斗军的一名战斗人员暗杀。⁶⁶ 截至2024年3月, Sirkoof “上校” (别名古斯塔夫·库布瓦约) 被任命为新的纵深搜索和行动突击队指挥官, Ngabo Guillaume (别名“巴格达”) 担任他的副手。⁶⁷

76. Ruhinda “上校”之死引发了卢民主力量-救世战斗军内部的紧张关系。在起草本报告时, 卢民主力量-救世战斗军除了遭受人员损失外, 还受到其领导人之间内部争斗的困扰, 显然是因为卢民主力量的几名战斗人员怀疑 Omega “将军” 应卢旺达政府的要求杀死了 Ruhinda。⁶⁸

77. 尽管如此, 卢民主力量-救世战斗军仍然是小北区一个有影响力的武装团体, 估计有1 000至1 500名战斗人员, 重新整编为三个营, 每个营负责三个轴

⁶² 前战斗人员、军事情报、研究人员和民间社会。

⁶³ 前卢民主力量战斗人员、民间社会和研究人员。除了解放卢旺达民主力量-救世战斗军(卢民主力量-救世战斗军)总部外, 其行动区, 包括“萨马里亚”和“杰里科”也被打乱。

⁶⁴ 卢民主力量和联合国消息来源。

⁶⁵ 卢民主力量和联合国消息来源、瓦扎伦多战斗人员以及研究人员。

⁶⁶ 卢民主力量领导人、战斗人员、研究人员和专家组查看过的 Ruhinda 尸体照片。

⁶⁷ 前战斗人员、民间社会、军事情报、联合国消息来源和研究人员。

⁶⁸ 同上。

心之一：(a) “萨马里亚” (基什希、卡兰格拉、基比里齐和马本加)；(b) “杰里科” (鲁温迪-尼扬扎勒)；(c) “梅代隆” (萨凯、穆班比罗和卡鲁巴)。⁶⁹ 纵深搜索和行动突击队估计约有 350 至 500 名战斗人员。2024 年 1 月下旬，600 名新的战斗人员加入了卢民主力量-救世战斗军，以弥补在战斗中损失的多名战斗人员，其中大多数是在马西西县米哈尼亚一个中心接受军事训练的刚果国民。⁷⁰

78. 卢民主力量-救世战斗军继续主要通过通过在维龙加国家公园开采木炭和木板、绑架勒索和在检查站非法征税来筹措资金(见第 134-136 段)。

79. 与此同时，以前复员的卢民主力量-救世战斗军战斗人员继续被重新编入“3·23”运动和卢旺达国防军，后者依靠他们指明卢民主力量、刚果民主共和国武装部队和瓦扎伦多的阵地(见第 43 段；和 S/2023/990，第 30 段)。⁷¹ 例如，Bimenyimana “上校” (别名“眼镜蛇”)已于 2003 年完成解除武装、复员和重返社会进程，但 2023 年被发现参与了基尚加战斗。

关于国防后备部队的最新情况

80. 在起草本报告时，刚果民主共和国国防预备役部队仍处于构想阶段(S/2023/990，第 41 和 42 段)。附件 52 提供了最新情况。

布隆迪武装部队(布隆迪国防军)

81. 专家组获得了更多证据，证明布隆迪国防军部队在东非共同体区域部队任务框架之外秘密部署于小北区(见第 89 段)。刚果民主共和国军事总部和布隆迪政府最初都否认这一部署(见附件 53；S/2023/990，第 43-46 段)。

82. 在宣布东非共同体区域部队撤离后，部署在小北区的布隆迪东非共同体区域部队人员于 2023 年 12 月 9 日和 10 日离开。在正式撤军之前，布隆迪国防军的一些部队于 2023 年 11 月初弃守其位于基尚加、姆韦索和基洛里韦的阵地。布隆迪国防军有 300 至 500 名士兵在抵达布隆迪后，被控开小差，关押在锡比托克，其后一直被单独监禁(见附件 54)。

83. 东非共同体区域部队撤离后，布隆迪国防军部队在刚果民主共和国和布隆迪之间双边协定框架内更加公开地部署，作为刚果民主共和国武装部队-布隆迪国防军特混部队联合行动的一部分。布隆迪国防军的任务是在鲁温迪-马本加北部公路上对“3·23”运动和卢旺达国防军展开进攻行动，并在萨凯-米诺瓦南部公路上遏制“3·23”运动和卢旺达国防军。⁷² 2023 年 12 月至 2024 年 2 月，布隆迪国防军增派部队抵达戈马(见附件 55)，并用船只和卡车将其从戈马运往南基伍的米诺瓦和马西西县的萨凯等地。Elie Ndizigiye 准将指挥布隆迪国防军在基伍的行动。

⁶⁹ 卢民主力量战斗人员和领导人以及联合国消息来源。

⁷⁰ 前战斗人员、军事情报、研究人员和民间社会。

⁷¹ 同上。

⁷² 刚果民主共和国武装部队的信息来源和文件。

84. 布隆迪国防军部队部署在马西西县的卡鲁巴以南和米诺瓦西北。⁷³ 如最初预计的那样，在起草本报告时，他们未部署在鲁温迪-马本加地区。从 2024 年 1 月起，布隆迪国防军部队与刚果民主共和国武装部队和瓦扎伦多所属团体一道，积极参与萨凯-米诺瓦公路沿线的防守行动，防止“3·23”运动/卢旺达国防军向南基伍扩张。布隆迪国防军还发动进攻，意图收复刚果民主共和国武装部队在萨凯-米诺瓦地区的失地。⁷⁴

85. 布隆迪国防军遭受了许多损失。⁷⁵ “3·23”运动消息来源和接近卢旺达的消息来源报告说，卢旺达国防军接到指示，要在战场上以布隆迪国防军部队为攻击目标。⁷⁶ “3·23”运动还指认布隆迪国防军为敌人，而且在起草本报告时仍在鲁丘鲁监狱中关押着被俘布隆迪国防军士兵(见附件 56)。

86. 专家组注意到，布隆迪国防军在北基伍部署人员打击“3·23”运动和卢旺达国防军，遭到“3·23”运动和卢旺达官员的一再谴责(S/2023/990，第 44 段)，进一步加剧了两国之间的紧张关系(见第 178-183 段)。

87. 布隆迪政府在答复专家组询问时表示，布隆迪国防军于 2023 年 3 月 5 日部署在北基伍，作为东非共同体区域部队干预行动的一部分。它还表示，2024 年 2 月，在东非共同体区域部队离开后，布隆迪国防军开展行动，追踪布隆迪消极势力，以应对布隆迪民族解放力量和争取布隆迪法治抵抗运动“恐怖主义团体”与次区域其他“消极势力”(指卢旺达)的结盟。

南部非洲发展共同体刚果民主共和国特派团、“跳羚”行动和东非共同体区域部队

88. 在 2023 年 5 月 8 日于温得和克举行的特别首脑会议上，南共体决定向刚果民主共和国部署部队，为期 12 个月。与东非共同体区域部队相反，南共体刚果民主共和国特派团担负进攻性的任务，负责支持政府恢复该国东部的和平与安全。附件 57 提供了该特派团部署和行动的详细情况。

89. 该特派团的部署是在 2023 年 12 月东非共同体区域部队被迫撤出之后进行的，当时正值北基伍安全局势持续恶化，尽管联刚稳定团和刚果民主共和国武装部队于 2023 年 11 月发起了代号为“跳羚”的行动。附件 58 提供了关于东非共同体区域部队撤离和“跳羚”行动的详细情况。

⁷³ 刚果民主共和国武装部队、安全部门、民间社会和联合国消息来源以及研究人员。

⁷⁴ 刚果民主共和国武装部队和安全部门消息来源。

⁷⁵ 刚果民主共和国武装部队及安全情报消息来源。

⁷⁶ “3·23”运动和情报消息来源以及研究人员。

E. 空前人道主义危机和严重侵害平民行为

90. 由于“3·23”运动/卢旺达国防军与刚果民主共和国武装部队-瓦扎伦多联盟之间的持续战火，⁷⁷ 北基伍的人道主义危机达到前所未有的严重程度，导致自2023年10月以来又有100万平民流离失所(见附件59)。⁷⁸ 境内流离失所者的流动使本已拥挤的流离失所者营地不堪重负，戈马周围登记在册的正式和临时营地远远超过100个。⁷⁹

91. 人道主义危机加剧的原因是作战手段转向使用重炮和迫击炮攻击人口密集区或其附近，包括戈马郊区(见第93至98段)。儿童受冲突影响最大，包括被武装团体招募。⁸⁰ 性暴力事件达到前所未有的程度，大多数案件涉及境内流离失所者，而且是武装分子所为，包括瓦扎伦多和刚果民主共和国武装部队人员(见附件60；S/2023/431，附件17)。⁸¹

92. 所有武装团体都继续实施违反国际人道法和国际人权法的行为，而且往往完全不受惩罚。⁸² 交战双方均实施的违反行为包括：(a) 使用爆炸性武器进行无差别攻击；(b) 对被视为反对武装团体的平民实施有系统的迫害和报复，包括谋杀、酷刑、体罚、绑架和任意拘留；(c) 强奸；(d) 招募和使用儿童，包括在敌对行动中；(e) 劫掠和勒索；(f) 强迫劳动。这些行为构成应受制裁的行为。

1. 在人口居住区使用爆炸物进行无差别攻击

93. 自2023年10月以来，交战双方在境内流离失所者营地等人口密集区或其附近频繁使用爆炸物——迫击炮、火箭发射器和无人机——造成大量平民伤亡。2024年1月至3月，专家组记录了30多起双方使用爆炸性武器造成平民伤亡的事件。其中大多数发生在境内流离失所者高度集中的地区以及城镇中心，有些发生在医疗设施附近。50多名平民被打死，数百人受伤，民用基础设施被毁。⁸³

⁷⁷ 联合国和人道主义消息来源。另见 S/2024/251，第95段；<https://dtm.iom.int/reports/drc-north-kivu-m23-crisis-analysis-15-march-2024>。

⁷⁸ 见 <https://dtm.iom.int/reports/drc-north-kivu-m23-crisis-analysis-15-march-2024>。 <https://reliefweb.int/report/democratic-republic-congo/democratic-republic-congo-north-kivu-overview-humanitarian-situation-january-2024>； www.intersos.org/en/ddrc-escalating-conflict-exacerbates-the-emergency-in-north-kivu。

⁷⁹ 人道主义消息来源。

⁸⁰ 见 www.unicef.org/press-releases/dr-congo-children-killed-injured-abducted-and-face-sexual-violence-conflict-record； <https://reliefweb.int/report/democratic-republic-congo/drc-least-78000-children-displaced-and-families-ripped-apart-fighting-escalates>； www.savethechildren.net/news/drc-violence-north-kivu-forces-over-500-schools-close-teachers-kidnapped-and-students-terrified#:~:text=The%20current%20wave%20of%20violence,includin%20at%20least%20500%2C000%20children。

⁸¹ 人道主义、联合国和民间社会消息来源以及研究人员。

⁸² 见 <https://guide-humanitarian-law.org/content/article/3/non-state-armed-groups/#:~:text=Contrary%20to%20what%20was%20foreseen,5.1%20and%206.2>。

⁸³ 联合国、人道主义和非政府组织消息来源、研究人员、受害者、目击者以及照片和录像证据。

自 1 月以来，戈马的医疗设施收治了数百名伤者，其中至少 40% 是被炸伤(见附件 61)。

94. 2023 年 10 月 26 日，“3·23”运动和卢旺达国防军向城区，特别是鲁丘鲁县的班博，无差别地发射迫击炮和火箭。2024 年 1 月至 3 月，“3·23”运动和卢旺达国防军有系统地向萨凯和戈马市郊城区开火。刚果民主共和国武装部队还对 2023 年 11 月 7 日在班博和 2024 年 1 月 25 日在姆韦索所报发生的几起无差别或无目标射击事件负有责任。有关这些事件的进一步详情见附件 62。

95. 围绕“3·23 运动”和卢旺达国防军系统性迫击炮袭击的以下情况值得注意：(a) 由训练有素人员操作武器(见第 46 和 52 至 54 段)；(b) 以人口稠密区为目标；(c) 了解目标地区或其附近有平民存在；(d) 没有就即将实施的袭击向平民发出预警；(e) 有报告表明，先前的袭击造成了大量平民伤亡。

96. 类似的考虑也适用于刚果民主共和国武装部队实施的袭击，区别在于，操作武器的刚果民主共和国武装部队人员缺乏适当的训练，这加大了瞄准误差和执行错误的可能性。刚果民主共和国武装部队最高指挥部虽意识到此类不足，但却以军事需要为由，接受了在城区或其附近使用重型武器的相关风险(见附件 62)。⁸⁴

97. 交战双方都未实施预警系统和(或)让平民有足够时间撤出目标地区，以充分降低对平民的伤害。尽管人道主义行为体一再警告不要在人口居住区，包括在医院、学校和流离失所者营地附近使用爆炸性武器，但炮击事件仍持续不断。⁸⁵ “3·23”运动/卢旺达国防军和刚果民主共和国武装部队/瓦扎伦多甚至有时在包括境内流离失所者营地在内的平民居住区或其附近建立军事阵地，使平民有可能遭受报复袭击和附带损害(见附件 63)。

98. 在使用爆炸物等滥杀滥伤武器时，武装行为体必须考虑到平民风险，并尽可能降低伤害。没有采取有效预防措施，包括选择攻击手段和方法以减少平民伤亡，这符合国际人道法对于无差别攻击的定义(见附件 64)。遵守区分、预防和相称等原则是军事指挥官在从事敌对行动和下达进攻命令时的一项基本义务。如不遵守这些原则，有关个人就可能要为潜在的战争罪承担刑事责任。这种行为也符合制裁的指认标准。

⁸⁴ 保密消息来源和军方消息来源。

⁸⁵ 见 <https://reliefweb.int/report/democratic-republic-congo/democratic-republic-congo-drc-increased-conflict-intensity-ocha-icrc-ingo-forum-echo-daily-flash-14-february-2024>；www.icrc.org/en/document/north-kivu-dozens-injured-arrive-in-goma-during-intense-fighting；www.icrc.org/en/document/dr-congo-civilians-firing-line-use-heavy-weapons-signals-alarming-new-phase-armed-conflict。

2. 招募和使用儿童参与敌对行动

99. 到 2024 年初，冲突升级导致招募和使用儿童达到了令人震惊的程度。⁸⁶ 专家组收集的证据证实，在 2023 和 2024 年期间，“3·23”运动、卢旺达国防军以及瓦扎伦多联盟的武装团体都加紧招募人员，包括招募儿童(S/2023/431，第 72-74 段和第 146 段)。⁸⁷

“3·23”运动和卢旺达国防军强行招募和使用儿童

100. 2023 年 10 月，“3·23”运动和卢旺达国防军发起攻势并在此后加大了招募力度(S/2023/990，第 27 和 90 段)，包括在刚果民主共和国东部、卢旺达和乌干达各地招募未成年人。⁸⁸

“3·23”运动在刚果民主共和国的招募活动

101. “3·23”运动在被征服领土，主要是鲁丘鲁县和马西西县，有计划地绑架男子、青少年和儿童。⁸⁹ 数百名男子和 10 至 12 岁的男童在农村地区田间劳作时被绑架，有的是单人被绑架，有的是成群结队被绑架，⁹⁰ 几名在这种情况下被招募的前“3·23”运动战斗人员证实了这一点。在基万加和鲁丘鲁等较大的城市地区，“3·23”运动以欺骗性的金钱承诺诱惑年轻人。⁹¹ “3·23”运动还通过地方领导人和公众集会组织提高认识活动。⁹² 尽管有此类“自愿”入伍的举措，但自 2023 年 12 月以来，有系统地绑架男子以及 12 岁以上儿童的事件增多。⁹³ 试图逃跑的新兵将被处决(见附件 65)。⁹⁴

102. 保密消息来源报告称，2024 年 1 月初，Bahati Erasto “上校”和 Castro “上校”(现已死亡)在 Mweso-Kitshanga 地区活动(见第 35 段)，包括监督招募工作。据报，他们敦促当地青年加入“3·23”运动，并要求社区负责人汇编 15 至 60 岁男子名单，以便招募。⁹⁵

⁸⁶ 联合国消息来源。另见 S/2024/251 第 32 段；<https://reliefweb.int/report/democratic-republic-congo/drc-remains-epicentre-child-suffering-war-country-tops-world-list-grave-violations-against-children>；以及 <https://watchlist.org/publications/children-and-armed-conflict-monthly-update-december-2023>。

⁸⁷ 联合国消息来源、前儿童兵、(前)战斗人员、军事、情报和民间社会消息来源、研究人员、儿童保护行为体、照片和录像证据以及专家组的直接观察。

⁸⁸ “3·23”运动前战斗人员包括 5 名未成年人、前卢旺达国防军成员、情报、军事和联合国消息来源、研究人员、民间社会、保护行为体以及武装团体领导人。

⁸⁹ 保密消息来源。

⁹⁰ 保密和联合国消息来源、前战斗人员以及前被绑架人员。

⁹¹ 保密和联合国消息来源以及前“3·23”运动新兵。

⁹² 保密、联合国和社区消息来源以及前战斗人员。

⁹³ 联合国和保密消息来源以及前战斗人员。

⁹⁴ “3·23”运动前战斗人员包括 5 名未成年人、前卢旺达国防军成员、情报、军事和联合国消息来源、研究人员、民间社会、保护行为体以及武装团体领导人。

⁹⁵ 1 个保密消息来源以及 1 名前“3·23”运动新兵。

在卢旺达和乌干达难民营的招募活动

103. “3·23”运动继续在国外招募人员(S/2023/431, 第 146-149 段), 包括在卢旺达⁹⁶ 和乌干达⁹⁷ 的难民营招募人员, 主要招募对象是刚果难民。⁹⁸ 情报消息来源、前卢旺达国防军和从难民营招募的 5 名儿童证实, 卢旺达几乎所有的难民营都在进行招募活动, 特别是在 Mahama、⁹⁹ Gisagara、Kizimba 和 Gihembe。

104. 卢旺达国防军军官主要通过虚假的报酬或就业承诺进行招募。¹⁰⁰ 1 名前卢旺达国防军军官证实, 招募人员是训练有素的情报人员, 善于意识形态说服, 他们采用金钱奖励或灌输战术来说服新兵。那些不同意入伍的人则被强行带走。¹⁰¹ 从卢旺达各难民营被绑架的 4 名儿童描述了招募人员如何将 12 岁及以上的儿童从难民营的学校诱骗到卢旺达穆桑泽(又称“Ruhengeri”)。从穆桑泽开始, 士兵带领他们徒步前往 Tchanzu 接受军事训练。因此, 穆桑泽成了新兵前往 Tchanzu 的中转站, 而 Tchanzu 就在刚果民主共和国边境的正对面(见附件 66)。¹⁰²

105. 据报, 乌干达的难民营, 特别是乌干达西部的基亚卡二难民营¹⁰³ 和靠近卢旺达南部边境的 Nakivale 难民营¹⁰⁴ 也有类似的招募活动。各种消息来源报告说, 自 2022 年以来, 包括儿童在内受虚假金钱诱惑的新兵主要通过布纳加纳被带到了刚果民主共和国。¹⁰⁵ 这些招募渠道还被用来招募穆伦格族青年, 包括未成年人(S/2023/431, 第 146-149 段)。

儿童接受军事训练

106. 前新兵, 包括在 Tchanzu 受训的儿童(见第 38 和 39 段)证实, 训练营中有 10 至 12 岁的儿童, 包括从卢旺达招募来的儿童。经证实的证据表明, 2023 和 2024 年在 Tchanzu 受训的新兵远远超过 1 000 人, 估计至少有 20% 是未成年人。¹⁰⁶

⁹⁶ 见 www.unhcr.org/rw/list/where-we-work。

⁹⁷ 见 <https://data.unhcr.org/en/country/uga>; 以及 <https://reliefweb.int/report/uganda/unhcr-uganda-factsheet-june-2023>。

⁹⁸ 前战斗人员、前儿童兵以及军事、情报和联合国消息来源。

⁹⁹ 见 <https://reliefweb.int/report/rwanda/unhcr-rwanda-mahama-refugee-camp-factsheet-february-2023>。

¹⁰⁰ 1 名前卢旺达国防军军官以及多名从这些营地招募来的前儿童兵。

¹⁰¹ 同上。

¹⁰² 前儿童兵。

¹⁰³ 见 <https://data.unhcr.org/en/documents/details/71912>; 以及 <https://data.unhcr.org/en/documents/details/91326>。

¹⁰⁴ 见 <https://data.unhcr.org/en/documents/download/48488>。

¹⁰⁵ 证人、军方、情报和联合国消息来源、前新兵以及研究人员。

¹⁰⁶ 同上。

107. 15岁及以上的新兵接受战斗训练，并被派往前线作战。¹⁰⁷新兵还要从事繁重的劳动，包括挖地道和挖战壕。年龄最小的儿童(通常在15岁以下)不接受全面的战术训练，而是做杂务，充当指挥官的护卫或仆人，直到他们“成熟”到可以执行战斗任务。¹⁰⁸1名16岁的男童作证说，他是博杜安·恩加吕耶的护卫。1名前新兵还提到杰夫“上校”(见第36段)让未成年人当护卫。

108. 大多数教官是卢旺达国防军士兵，并由刚果培训官陪同(见第38和39段)，¹⁰⁹他们一起训练成年人和儿童。前受训人员还报告说，他们在Tchanzu的训练场看到过马肯加，包括在有儿童在场的情况下。

瓦扎伦多团体招募和使用儿童情况

109. 在冲突不断升级的情况下，瓦扎伦多团体进一步加紧招募(S/2023/431，第72至74段以及第87段)，各种消息来源证实，几乎所有瓦扎伦多团体都使用儿童。¹¹⁰学校关闭、流离失所、粮食无保障和暴力使儿童更容易被招募，长期的不安全和资源匮乏使得一些家庭同意儿童入伍。据报，在马西西、鲁丘鲁和瓦利卡莱县，瓦扎伦多团体通过社区外联招募儿童，并承诺在团体内提供有利条件。¹¹¹

110. 瓦扎伦多各团体之间的联合行动和同地共存使归责任务复杂化，促使专家组只有在明确确定具体团体的责任时才点名。专家组能够确定的是，恩杜马保卫刚果民兵组织-革新派/吉登派、自由主权刚果爱国者联盟、卢民主力量-救世战斗军、促进变革运动联合会-多米派、刚果爱国者重建自由刚果联盟、瓦扎伦多快速反应部队以及让·马里领导的尼亚图拉民兵-阿巴宗古派使用了儿童兵(见附件67)。

111. 据广泛报道，戈马和萨凯周围、军事阵地或军事阵地附近、境内流离失所者营地或营地附近都有武装儿童。¹¹²专家组2024年3月在该地区考察时也观察到，儿童手持AK突击步枪，跟随刚果民主共和国武装部队士兵，或在他们眼皮底下活动(附件67)。

112. 消息来源证实，Kambuzi“上校”的自由主权刚果爱国者联盟和Defender“将军”的人民权利抵抗部队在萨凯使用了儿童。¹¹³2名儿童战斗人员在萨凯Mubambiro社区的“Chez JC”旅馆声称自己是Defender“将军”的人民

¹⁰⁷ 前新兵以及保密和联合国消息来源。

¹⁰⁸ 前新兵以及保密、联合国和情报消息来源。

¹⁰⁹ 前新兵和情报消息来源。

¹¹⁰ 联合国、民间社会、社区和军事消息来源、战斗人员、包括儿童在内的前战斗人员、目击者、照片证据以及武装团体领导人。

¹¹¹ 联合国和社区消息来源、保护行为体以及前儿童兵。

¹¹² 联合国和社区消息来源、民间社会、目击者以及保护行动体。

¹¹³ 瓦扎伦多战斗人员、民间社会以及社区消息来源。

权利抵抗部队战斗人员。¹¹⁴ 各种消息来源还报告说，经常在这家旅馆看到儿童战斗人员，¹¹⁵ 这家旅馆被人民权利抵抗部队、自由主权刚果爱国者联盟、卢民主力量-救世战斗军、促进变革运动联合会和刚果民主共和国武装部队人员当作据点。¹¹⁶ 刚果民主共和国武装部队 Sekololo 上校(见第 63 段)承认，他经常在这家旅馆与瓦扎伦多指挥官 Defender、“Seigneur de Guerre”(卢民主力量-救世战斗军)和 Obedi(自由主权刚果爱国者联盟)举行协调会议(见附件 67)。

有罪不罚加剧了对儿童的使用

113. 虽然据报刚果民主共和国武装部队和某些武装团体领导人禁止招募和使用儿童，¹¹⁷ 一些团体也正式同意让儿童退伍，¹¹⁸ 但专家组没有发现任何证据表明瓦扎伦多团体实施了这些举措，¹¹⁹ 而且继续看到瓦扎伦多团体中有儿童(见附件 68)。

114. 尽管获悉瓦扎伦多团体使用儿童兵，但政府迄今没有采取有效行动，确保立即释放这些团体中所有 18 岁以下的儿童，并逮捕对这种做法负责的指挥官。这违反了该国要求国家当局确保武装部队和武装团体释放儿童的法律框架(见附件 69)。¹²⁰

115. 专家组约谈的刚果民主共和国武装部队高级军官表示，政府将安全置于司法需要之上，政府在实现目标之前，不得不接受和管理瓦扎伦多的“小心思”和越界行为。¹²¹ 刚果民主共和国总统用类似的不可抗力理由为儿童参加武装战斗的现象辩护。¹²²

3. 其他违反国际人道法和国际人权法的行为

“3·23”运动和卢旺达国防军

116. “3·23”运动经常绑架、监禁、拷打和处决被控与瓦扎伦多武装团体和(或)刚果民主共和国武装部队合作的平民，¹²³ 延续以前记录的杀害和绑架假想敌的模式(S/2023/431，第 65 段)。“3·23”运动和卢旺达国防军专门以胡图人聚居的地方为目标，这些地方众所周知是卢民主力量和尼亚图拉民兵团体的据点，如 Bwito 酋长领地的 Bukombo、Borambo 和 Nyanzale 区，以及 Bwisha(鲁丘鲁县)

¹¹⁴ 瓦扎伦多战斗人员(包括儿童)、军事消息来源、社区成员、民间社会、直接观察以及照片。

¹¹⁵ 社区消息来源和研究人员。

¹¹⁶ 战斗人员以及保密和社区消息来源。

¹¹⁷ 1 名促进变革运动联合会领导人以及保密和社区消息来源。

¹¹⁸ 联合国和 1 个保密消息来源。

¹¹⁹ 联合国、社区和民间社会来源、目击者以及保护行动体。

¹²⁰ 儿童保护行为体以及公开报告。另见 S/2023/363。

¹²¹ 刚果民主共和国武装部队、社区消息来源以及保护行为体。

¹²² 见 www.lemonde.fr/afrique/article/2024/03/30/felix-tshisekedi-president-de-la-rdc-le-rwanda-n-est-pas-seul-responsable-des-malheurs-du-congo_6225115_3212.html。

¹²³ 目击者、研究人员、社区、联合国和保密消息来源。

酋长领地的 Busanza，据报发生了多起处决和村庄被毁事件(见附件 70)。¹²⁴ 这些针对平民的集体惩罚是应受制裁的行为，可能构成战争罪。

117. “3·23”运动继续大规模征募平民从事强迫劳动(S/2023/431，第 70 段和附件 45)，有系统地强迫数百名平民参加被称为“Salongo”的社区工程。¹²⁵

瓦扎伦多和刚果民主共和国武装部队

118. 瓦扎伦多各武装团体犯下了严重违反人道法和人权法的行为，包括绑架勒索、敲诈勒索、抢劫、非法监禁、酷刑、强奸、谋杀、报复性杀害和处决被控通敌平民。¹²⁶ 瓦扎伦多没有针对任何特定族裔群体(见附件 71)。

119. 记录在案的大多数违反人权法和人道法行为，包括杀人行为，要么发生在瓦扎伦多团体之间为争夺领土控制权而发生的冲突中(见第 67 段)，要么发生在为解决地方冲突或个人恩怨而发生的冲突中，要么发生在出于掠夺目的(如抢劫、征税、勒索或强奸)骚扰当地居民的过程中。恩杜马保卫刚果民兵组织-革新派/吉登派团体和尼亚图拉民兵阿巴宗古派团体最常被指严重虐待平民。¹²⁷

120. 瓦扎伦多各团体在其控制的领土上依靠暴力战争经济发展壮大。他们提高非法征税额，为购买武器装备提供资金。¹²⁸ 在戈马和尼拉贡戈北部地区活动的武装团体——包括自由主权刚果爱国者联盟、刚果爱国者重建自由刚果联盟、卢民主力量以及促进变革运动联合会——系统地实施过绑架勒索、任意拘留和处决行为(见附件 72)。

121. 瓦扎伦多战斗人员和退守戈马和萨凯周围阵地的刚果民主共和国武装部队人员激增，导致戈马和过度拥挤的境内流离失所者营地内的犯罪率急剧上升。他们的存在还导致境内流离失所者营地的民事和人道性质受到蓄意侵犯，瓦扎伦多和刚果民主共和国武装部队的武装分子虐待和严重侵害脆弱的境内流离失所者，包括前所未有的性暴力(见附件 60)和经济掠夺。¹²⁹

122. 政府和公众承认瓦扎伦多是为国家解放而战的“爱国者”，这给了这些武装团体逍遥法外的借口，而国家安全部门无力或不愿逮捕犯罪人(见第 115 段)。¹³⁰

¹²⁴ 同上。

¹²⁵ 前“3·23”运动战斗人员、社区、联合国和保密消息来源、研究人员以及视频。

¹²⁶ 联合国、人道主义、保密、社区和非政府组织消息来源、受害者和目击者证词以及研究人员。

¹²⁷ 同上。

¹²⁸ 同上。

¹²⁹ 同上。

¹³⁰ 同上。

4. 对联合国组织刚果民主共和国稳定特派团的袭击

123. “3·23”运动/卢旺达国防军(见第 49 和 51 段)和刚果民主共和国武装部队/瓦扎伦多都将联刚稳定团的工作人员、资产和行动视为攻击目标,对维和人员和联合国资产构成重大威胁。有证据表明,刚果民主共和国武装部队和瓦扎伦多各团体在萨凯周围有系统地以联刚稳定团部队为袭击目标,这表明他们为阻碍联刚稳定团的行动和任务执行作出了协调一致的战略努力(见附件 73)。专家组重申,袭击联合国维和人员和工作人员构成应受制裁的行为。

F. 武装团体和政府行为体设置路障、非法征税和伐木

124. 活跃在小北区的所有武装行为体都从他们控制地区的木板生产和(或)非法征税中获益(见附件 74)。自“3·23”运动开始占领鲁丘鲁、尼拉贡戈和马西西县的大片地区以来,对木板运输商非法征税,导致戈马的最终销售价格上涨 40%至 50%。这加剧了冲突对戈马及其周边地区居民的经济影响(见附件 75)。¹³¹非法征税给武装团体带来了巨大利润,他们将这些利润用于维持部队和加强军事能力。

125. 非法和无节制的伐木还导致维龙加国家公园保护区内大片原始森林被毁。数据显示,自 2021 年“3·23”运动相关危机开始以来,尼拉贡戈和鲁丘鲁地区的森林砍伐达到了前所未有的程度(见附件 76)。

126. 下文介绍的案例仅侧重于木板的非法征税、生产和贸易,但小北区危机所带来的非法经济机会远不止于此。武装分子通过设置路障非法征税,影响到包括运输商在内的所有道路使用者。同样,非法开采自然资源的收益包括但不限于木炭生产、养牛、种田、抢占土地和采矿。因此,伐木和税收所得仅占武装分子在小北区收入的一小部分。

“3·23”运动非法征税和伐木

127. “3·23”运动非法伐木,包括在维龙加国家公园,并对途经其控制区运输木板的卡车征收重税。

128. “3·23”运动对每辆运输木板的扶桑车非法征税 520 美元。来自卢贝罗县的卡车在鲁丘鲁县基尚加或马西西县基尤里维的路障被征税。来自瓦利卡莱县的卡车则在马西西县的穆沙基被征税。¹³²平均每周有 12 辆卡车通过基尚加过境,均得向“3·23”运动交税(见附件 77)。2024 年 1 月至 3 月中旬,“3·23”运动对 125 辆卡车非法征税,金额超过 65 000 美元(平均每年超过 300 000 美元)。

¹³¹ 戈马“Chez Modé”、Kihisi 和 Mugunga 市场的批发零售商。

¹³² 卡车司机、批发零售商、环境部以及民间社会行为体。

129. “3·23”运动控制着整个维龙加国家公园 Mikeno 区沿尼拉贡戈县和鲁丘鲁县交界处的非法伐木和木板生产。该武装团体每周伐木 40 吨，相当于 450 根横梁，按戈马的批发价计算，总价值为 4 万至 5 万美元。¹³³

130. “3·23”运动在向 Nyanzalé 地区推进(见第 33 段)后，开始占领鲁丘鲁县 Kalengera-Tongo 公路沿线的非法伐木区，该地区位于维龙加国家公园的主要区域内。据报，在这一地区的非法伐木每周也能出产 40 吨木材，因此该地带来的经济价值与在 Mikeno 区伐木带来的经济价值类似。¹³⁴

瓦扎伦多非法征税和伐木

131. 在马西西县金吉，隶属于促进变革运动联合会-保卫人民力量和自由主权刚果爱国者联盟的瓦扎伦多战斗人员对每辆向戈马运输木板的卡车征收 74 美元的税。¹³⁵对卡车司机而言，这是“3·23”运动已经征税之外的额外税，因为金吉位于基尚加通往萨凯的公路上。从 2024 年 1 月至 3 月中旬，125 辆卡车的税收为 9 260 美元，因此平均每年税收为 44 000 美元。在“3·23”运动在穆沙基设置路障之前，这两个武装团体在马西西县鲁巴亚西北 Buhumba 的同一路障对来自瓦利卡莱县的卡车征税(见附件 78)。

132. 在本报告所述期间，促进变革运动联合会-保卫人民力量每周在鲁丘鲁县 Bukombo(促进变革运动联合会-保卫人民力量领导人多米的指挥中心)、基尚加的 Pinga 以及 Peti 之间采伐 30 吨木材。¹³⁶这相当于 330 根横梁，按戈马的批发价计算，估计每周价值 37 500 美元，平均每年 1 950 000 美元。多米在戈马拥有一个木板仓库，出售生产的木板。¹³⁷

解放卢旺达民主力量——救世战斗军的非法税收和伐木收入

133. 卢民主力量-救世战斗军没有直接参与生产木板，而是向木板批发零售商出售在尼拉贡戈县 Kibumba 西南部维龙加国家公园边界沿线砍伐树木的“许可证”(见附件 79)。

134. 卢民主力量-救世战斗军控制区域每周砍伐约 30 吨混合木板和普通木材。¹³⁸假设两种木材的产量相等，则卢民主力量-救世战斗军每周可获利 5 150 美元，平均每年为 268 000 美元。

135. 卢民主力量-救世战斗军在尼拉贡戈县控制的木板生产出售给批发商，由 Rusayo 的运输商提货。后者被迫向卢民主力量-救世战斗军支付 407 美元，才能

¹³³ 民间社会和联合国消息来源、环境部以及研究人员。

¹³⁴ 民间社会和联合国消息来源、环境部、研究人员以及卡车司机。

¹³⁵ 同上。

¹³⁶ 同上。

¹³⁷ 目击者、批发零售商以及木板所有者。

¹³⁸ 民间社会消息来源以及环境部。

装载运往戈马的木板。卢民主力量-救世战斗军在 Rusayo 平均每周赚取 1 425 美元，即每年非法征税 74 000 美元。

136. 卢民主力量-救世战斗军每年从非法伐木和征税中获利约 340 000 美元。

国家机构非法征税

137. 2022 年 5 月 24 日，北基伍省省长发布命令，禁止卡车使用戈马-鲁丘鲁公路。尽管如此，但估计每天仍有 2 到 3 辆非法运输木板的卡车在尼拉贡戈县 Kanyaruchinya 被称为“OPRP”的检查站与国家工作人员的合谋下过境。¹³⁹ 运输商晚上抵达时向把守检查站的工作人员支付 160 美元(见附件 80)。¹⁴⁰ 2024 年第一季度，工作人员向木板运输商非法征税 25 000 至 37 000 美元，¹⁴¹ 平均每年 100 000 至 150 000 美元。

G. 鲁巴亚的非法矿物开采和贸易

138. 鲁巴亚地区的矿场仍由武装团体刚果爱国抵抗联盟-打击力量控制，该部队继续监督鲁巴亚的矿产开采(S/2023/990，第 60-65 段)。”3·23”运动和刚果爱国抵抗联盟-打击力量建立了机会主义合作关系，将在鲁巴亚开采的矿物运往穆沙基，穆沙基成为走私鲁巴亚矿产的枢纽。从穆沙基经 Tongo-Kalengera 到最终目的地的走私活动完全由“3·23”运动控制。因此，根据专家组的尽职调查准则，鲁巴亚的矿物没有资格进行贸易。¹⁴²

139. 2024 年 4 月初，在打通了一条穿越刚果民主共和国武装部队和瓦扎伦多武装团体控制地区的过境路线后，国家当局重新批准了来自鲁巴亚的矿物贸易。矿物从鲁巴亚运到南基伍北部的 Minova，再从 Minova 经基伍湖运到戈马。

刚果爱国抵抗联盟-打击力量控制鲁巴亚矿区

140. 2024 年 1 月的空中监视图像和鲁巴亚居民的报告显示，鲁巴亚的采矿活动仍在继续(S/2023/990，第 60 至 65 段)，并在鲁巴亚山的东南坡和 PE 4731 内被称为“D2 Bibatama”的地点开辟了新矿址。¹⁴³ 附件 81 提供的证据表明，刚果爱国抵抗联盟-打击力量战斗人员在刚果爱国抵抗联盟-打击力量主席 Shamamba Barigaruye Enoch 的指挥下继续开采和控制地雷(S/2023/990 附件 43 和 S/2021/560，第 62 段)。国际锡矿供应链倡议告知专家组，从 2023 年 12 月至 2024 年 1 月，加入锡矿供应链倡议的采矿合作社的记录显示，在鲁巴亚开采了约 46 吨矿物。¹⁴⁴

¹³⁹ 同上。

¹⁴⁰ 被拘留的刚果民主共和国武装部队人员、刚果民主共和国武装部队军事司法部门、环境部以及民间社会消息来源。

¹⁴¹ 2 至 3 辆卡车*6 天*13 周*160 美元=24 960 美元至 37 440 美元。

¹⁴² 见 https://www.un.org/securitycouncil/sites/www.un.org.securitycouncil/files/due_diligence_guidelines.pdf。

¹⁴³ 航拍图像、民间社会和鲁巴亚居民。

¹⁴⁴ 国际锡业协会对专家组所提请求作出的答复。

刚果爱国抵抗联盟-打击力量和“3·23”运动控制矿产贸易路线

141. 2023 年 12 月，“3·23”运动控制了穆沙基和卡鲁巴，切断了从鲁巴亚向戈马出口点运输矿物的最后一条路线。因此，刚果民主共和国负责监管手工采矿活动的国家机构手工和小规模矿产开发援助和支持服务局和矿业司撤出了鲁巴亚，这促使锡矿供应链倡议从 2023 年 12 月 8 日起暂停在马西西县的所有标记工作(见附件 82)。但矿产开采和贸易有增无减(见附件 83)。一些商人继续冒着被刚果爱国抵抗联盟-打击力量、恩杜马保卫刚果民兵组织-革新派的马潘齐系和“3·23”运动非法征税的风险，将无标记矿物从鲁巴亚运到戈马。在起草本报告时，在暂停交易后开采的 36 吨无标记矿物被隔离在国家反欺诈委员会在戈马指定的一个仓库中。

142. 2024 年 2 月 17 日，刚果爱国抵抗联盟-打击力量试图将其控制范围扩大到鲁巴亚和穆沙基之间的矿产贸易活动(见附件 84)；例如，2024 年 2 月 28 日，刚果爱国抵抗联盟-打击力量战斗人员在马西西县 Bihambwe 拦截了一辆满载 3 吨钶钽铁矿石的卡车。¹⁴⁵

143. 但恩杜马保卫刚果民兵组织-革新派的马潘齐系质疑刚果爱国抵抗联盟-打击力量垄断鲁巴亚和穆沙基之间的贸易，而且不认同需要通过“3·23”运动控制区进行矿物贸易。专家组指出，直到 2024 年 4 月初开始通过基伍湖进行矿物贸易之前，矿物贸易都是通过“3·23”运动控制的路线进行的。在鲁巴亚采集矿物的贸易商先经过“3·23”运动控制下的穆沙基，然后经 Kilolirwe、Bwiza、Tongo 和 Kalengera 前往 Kibumba。¹⁴⁶ 鲁巴亚至少有一部分矿产随后经过卢旺达边境被走私。¹⁴⁷

144. 专家组注意到，2023 年，卢旺达的钶钽铁矿石出口量空前增加，比 2022 年增加了 50%。

2024 年 4 月恢复贸易和供应链风险

145. 2024 年 4 月初，北基伍省省长决定开辟一条将鲁巴亚矿产运往戈马的新路线(见第 139 段)，从而将鲁巴亚矿产重新纳入供应链(见附件 85)。记录显示，刚果爱国抵抗联盟-打击力量控制着鲁巴亚开采地点，但省长的决定无视这一事实。但专家组指出，由于该武装团体的控制，鲁巴亚生产的矿物没有资格进行交易。

146. 此外，采矿者、贸易商和民间社会代表报告了鲁巴亚的跨矿区走私情况(S/2021/560，附件 49)，附件 86 详述的生产数据分析也证实了这一点。¹⁴⁸

147. 专家组将其关于特许矿区走私和武装团体控制矿产贸易路线的调查结果提交给了锡矿供应链倡议。锡矿供应链倡议声称，它没有收到任何关于瓦扎伦多

¹⁴⁵ 刚果民主共和国武装部队、民间社会、联合国消息来源以及研究人员。

¹⁴⁶ 当地、联合国、民间社会、移民总局和刚果民主共和国武装部队的消息来源以及研究人员。

¹⁴⁷ 民间社会和联合国消息来源、研究人员以及矿产运输商。

¹⁴⁸ 鲁巴亚的采矿者和居民以及民间社会和联合国消息来源。

武装团体控制其所监管矿区的报告。锡矿供应链倡议还指出，国家对 PE 4731 缺乏控制仍对其监测的矿区构成重大风险。锡矿供应链倡议声称，它已将这些风险完全告知成员公司，请他们保持应有的注意。

148. 2024 年 3 月 7 日，主要下游产业联盟之一的负责任采矿倡议向其成员发出通知，提醒他们注意来自北基伍省，特别是鲁巴亚地区不符合贸易条件的矿物有进入供应链的风险(见附件 87)。

三. 伊图里省

A. 扎伊尔武装团体对和平的虚伪承诺

149. 2024 年 1 月，扎伊尔承认其作为“自卫武装团体”的存在，并表示打算加入和平进程(S/2022/479，第 101-104 段)。扎伊尔领导人除其他措施外还承诺为平民的行动自由提供便利，防止其战斗人员携带武器，并承诺解除武装(见附件 88)。但扎伊尔对结束敌对行动的承诺转瞬即逝，有证据表明，这一承诺从一开始就不真诚。扎伊尔仍有武装，并在朱古县、马哈吉县和阿鲁县活动(S/2022/967，第 87-91 段；S/2023/990，附件 49 和 50)。扎伊尔继续攻击刚果发展合作社/保卫刚果人民革命联盟或击退该团体的入侵，保卫采矿点，或为控制新的地区而战。

扎伊尔的武装和动员

150. 有几个消息来源称，当扎伊尔为 2024 年 1 月在布尼亚的和平倡议做准备时，其领导人正在收集不能使用的武器，准备上缴给省当局，表面上是为了假装真正解除武装。¹⁴⁹与此同时，扎伊尔加紧购买武器。专家组收到的证词表明，该团体继续通过卢旺达、乌干达和南苏丹的贩运网络购买战争物资。¹⁵⁰几个消息来源报告称，通过区域或地方网络获得的武器存放在朱古县的姆比乔和马班加。¹⁵¹专家组还认证了 2024 年 3 月的录像，其中显示了全副武装的扎伊尔战斗人员乘坐快艇和皮卡车的情况(见附件 89)。2024 年 2 月 10 日，扎伊尔领导人在姆比乔举行会议，以完善其军事战略，并向战斗人员分发新制服。¹⁵²

151. 扎伊尔领导层决定继续在希马社区募捐，为其战争出力，¹⁵³并部署武装战斗人员守卫矿区和击退扎伊尔继续攻击刚果发展合作社/保卫刚果人民革命联盟

¹⁴⁹ 刚果民主共和国武装部队、情报部门、民间社会和联合国消息来源、武装团体战斗人员以及研究人员。

¹⁵⁰ 同上。

¹⁵¹ 民间社会、研究人员、情报人员以及前战斗人员。

¹⁵² 情报部门、刚果民主共和国武装部队和武装团体。另见 S/2023/990，第 77 段。

¹⁵³ 刚果民主共和国武装部队、情报部门、联合国和民间社会消息来源、武装团体战斗人员以及研究人员。

的入侵。采矿仍是扎伊尔的主要资金来源，因为该团体控制着位于达拉、马班加、姆比乔和尼亚卡等地的近 300 个矿区(见第 167-170 段)。¹⁵⁴

刚果河联盟与扎伊尔的接触

152. 2023 年 12 月，在刚果河联盟成立后，包括扎伊尔在内的以伊图里为基地的各武装团体拒绝加入所谓的刚果河联盟(见附件 90),但刚果河联盟坚持努力建立或巩固联盟，包括与扎伊尔的联盟(见第 28 段)。2024 年 2 月初，刚果河联盟代表前往达拉会见了扎伊尔领导人，2024 年 3 月初，包括 Logo Marine 在内的扎伊尔领导人在坎帕拉会见了 Corneille Nangaa。¹⁵⁵ 值得注意的是，一些扎伊尔领导人与全国保护人民大会的领导人具有历史渊源，而全国保护人民大会的多位领导人加入了“3·23”运动的现任领导层。此外，扎伊尔战斗人员以前参加过“3·23”运动在 Bunangana 和 Tchanzu 营地的军事训练(S/2023/990，第 77 段)。消息来源告知专家组，五方小组内部(S/2023/431，第 110 段)，特别是赫马族对刚果河联盟-“3·23”运动可能结盟的问题仍有意见分歧。¹⁵⁶

B. 刚果发展合作社/保卫刚果人民革命联盟

153. 刚果发展合作社/保卫刚果人民革命联盟继续使用暴力，继续无差别地以平民、境内流离失所者营地、人道主义人员为目标(见第 159 段)，并袭击安全部队(S/2023/431，第 104 至 112 段；S/2023/990，第 76 和 77 段以及附件 49 和 50)。刚果发展合作社/保卫刚果人民革命联盟的袭击强度增加，主要是在矿区周围，打破了一段时间的相对平静。

154. Bassa Zurkpa Gershom 和 Desire Nkuna Kiza 分别是刚果发展合作社/保卫刚果人民革命联盟的发言人和国防秘书，他们声称，该运动仍由 Bahati Charite “将军”全面指挥，他从设在朱古县恩达洛的刚果发展合作社/保卫刚果人民革命联盟总部协调各派，所有决定都在总部一级作出。¹⁵⁷ 他们声称，刚果发展合作社/保卫刚果人民革命联盟是在自卫，但仍致力于结束敌对行动，条件是其敌对武装团体扎伊尔解除武装以及刚果民主共和国武装部队停止以伦杜社区为目标。顺便提一下，这两名领导人承认刚果发展合作社/保卫刚果人民革命联盟参与了对拉拉的袭击，但声称没有将平民作为袭击目标(S/2023/990，第 78 至 80 段)。

155. 刚果发展合作社/保卫刚果人民革命联盟继续通过武力或自愿方式招募战斗人员，并对他们进行培训和武装。¹⁵⁸ 刚果发展合作社/保卫刚果人民革命联盟还继续参与附件 91 详述的为争夺矿区控制权而发生的冲突。

¹⁵⁴ 前战斗人员和民间社会消息来源。

¹⁵⁵ 扎伊尔和 1 个情报消息来源。

¹⁵⁶ 扎伊尔、情报消息来源、民间社会、刚果民主共和国武装部队消息来源以及研究人员。

¹⁵⁷ 专家组与刚果发展合作社/保卫刚果人民革命联盟两位领导人的会晤。

¹⁵⁸ 联合国、人道主义、刚果民主共和国武装部队和情报消息来源、社区领袖以及研究人员。

156. 为遏制伊图里的武装暴力，刚果民主共和国武装部队和联刚稳定团对刚果发展合作社/保卫刚果人民革命联盟发起了军事行动，但影响有限(见附件 92)。尽管如此，但各武装团体在朱古县各地仍然活跃，并继续开展挑衅行动。¹⁵⁹

C. 违反国际人道法和国际人权法的情况

157. 刚果发展合作社/保卫刚果人民革命联盟由其声称指挥和控制的各派别组成(见第 154 段)，继续严重违反国际人道法和国际人权法，包括：(a) 无差别地袭击平民，构成应受制裁的行为，如谋杀、处决、绑架、酷刑、抢劫和破坏财产；(b) 袭击人道主义工作人员和医院，阻碍救命的人道主义援助准入；(c) 袭击参与保护平民的维和人员。

158. 尽管与刚果发展合作社/保卫刚果人民革命联盟相比，程度要低得多，但扎伊尔也参与了导致平民被杀、被绑架和财产遭抢劫的零星事件。¹⁶⁰

159. 自 2024 年 1 月以来，刚果发展合作社/保卫刚果人民革命联盟与扎伊尔之间再次爆发冲突。刚果发展合作社/保卫刚果人民革命联盟按照其记录在案的作案手法(S/2023/431，第 125 段)，对平民进行了野蛮攻击(见第 160 和 161 段)。¹⁶¹ 朱古县的境内流离失所者，特别是 Drodro 和 Bule 周围的境内流离失所者，遭到刚果发展合作社/保卫刚果人民革命联盟有计划的杀戮、绑架和抢劫，特别是在境内流离失所者从事日常农业或商业活动时。¹⁶² 此外，刚果发展合作社/保卫刚果人民革命联盟还经常袭击人道主义工作人员和车辆(见附件 93)。3 月 6 日，刚果发展合作社/保卫刚果人民革命联盟袭击并抢劫了 Drodro 医院，该医院是为广大境内流离失所者提供服务的主要医疗设施，杀死了 1 名躺在病床上的赫马族老人。因此，主要的人道主义行动体撤出了该地区，使境内流离失所者定居点内的医院和保健中心失去了必要的支持(见附件 94)。¹⁶³ 刚果发展合作社/保卫刚果人民革命联盟还伏击了联刚稳定团为保护平民免受刚果发展合作社/保卫刚果人民革命联盟袭击而部署的维和人员。¹⁶⁴

¹⁵⁹ 联合国、人道主义、刚果民主共和国武装部队和情报消息来源、社区领袖、研究人员以及战斗人员。

¹⁶⁰ 联合国、人道主义、刚果民主共和国武装部队和情报消息来源、社区领袖、研究人员以及战斗人员。

¹⁶¹ 同上。

¹⁶² 联刚稳定团、人道主义、民间社会和情报消息来源以及社区领袖。

¹⁶³ 同上。

¹⁶⁴ 联合国、刚果民主共和国武装部队以及情报消息来源。

刚果发展合作社/保卫刚果人民革命联盟绑架和处决平民

160. 2024 年 2 月 16 日，刚果发展合作社/保卫刚果人民革命联盟战斗人员在 Bahema-Nord 领地的 Tali 路障绑架了 25 名平民，对扎伊尔早些时候杀害 3 名刚果发展合作社/保卫刚果人民革命联盟战斗人员进行报复。至少 15 名平民被活埋在一个坑里，大多数人死于窒息。其他被绑架的受害者下落不明。Awilo “将军”和驻扎在 Tali 的刚果发展合作社/保卫刚果人民革命联盟第三旅的指挥官 Serge Dekana 及其副手 Dany 被指应对下令绑架和处决负责(见附件 95)。¹⁶⁵

161. 2024 年 4 月 6 日，刚果发展合作社/保卫刚果人民革命联盟的“Bon Temple”派指挥官 Kadogo(S/2023/431，第 105 和 107 段)的战斗人员在袭击 Banyali-Kilo 区的 Galay 时至少杀害了 15 人，并绑架了另外 18 名平民。被绑架的受害者被带到刚果发展合作社/保卫刚果人民革命联盟 Bon Temple 派在 Andisa 的基地。4 月 8 日，包括 3 名妇女和 1 名新生儿在内的 15 名人质在 Andisa 被活活烧死(见附件 96)。¹⁶⁶

D. 多个武装团体和刚果民主共和国武装部队人员通过黄金开采和黄金交易致富

162. 黄金开采和黄金交易仍然是武装团体和刚果民主共和国武装部队一些成员在伊图里省致富的重要来源(S/2023/990，附件 50；S/2022/479，第 107-123 段)。

163. 在朱古县，在专家组研究的 36 个矿场中，刚果民主共和国武装部队成员、扎伊尔和刚果发展合作社/保卫刚果人民革命联盟将每周黄金产量控制在超过 29 公斤(见附件 97)。大多数武装团体领导人，其中许多人以前参与过黄金贸易或采矿，利用他们的权力地位对生产和交易实行控制。¹⁶⁷

刚果发展合作社/保卫刚果人民革命联盟的 Lango “将军”

164. 2024 年 1 月，刚果发展合作社/保卫刚果人民革命联盟驻 Mbau 的指挥官 Lango “将军”实际控制了 Sésélé 区的“Morgue”矿，通过向矿场经营者非法征税，使自己和刚果发展合作社/保卫刚果人民革命联盟中饱私囊。

165. Lango 指派战斗人员负责监督收税。在现场作业的矿工报告称，他们被要求将矿坑产量的 30% 缴给刚果发展合作社/保卫刚果人民革命联盟。¹⁶⁸ 此外，Lango 还要求运营矿坑的矿主每月支付 100 美元。据挖矿人和坑主报告，正在开采的矿坑有 40 个，平均每月为 Lango 带来 4 000 美元的收入。一位坑主报告说，他和他的家人在拒绝交税后遭到了 Lango 同伙的骚扰。

¹⁶⁵ 联合国、刚果民主共和国武装部队、情报、民间社会以及社区消息来源、照片证据。

¹⁶⁶ 同上。

¹⁶⁷ 经济行为体、研究人员以及保密消息来源。

¹⁶⁸ 挖矿人。

166. 与伦杜族相比，非伦杜族挖矿人属于少数，他们有时会被征收更高的税款。例如，2024年1月，Lango的战斗人员要求赫马族挖矿人缴纳相当于180美元的税款，几乎是伦杜族挖矿人税款的两倍。

扎伊尔指挥官 Baraka Maki

167. Baraka Maki 是马班加地区的一名扎伊尔指挥官。他建立了一个围绕金矿开采的掠夺系统，向手工和半工业采矿者征税，并直接开采矿区。

168. 包括矿业管理官员、民间社会行为体和参与该地区采矿活动的经济行为体在内的一些消息来源报告说，Baraka 拥有机械挖掘机，在马班加周围的沙里河开采金矿。在高峰时期，这项活动每周出产5公斤黄金，按市场价格计算，平均每月价值超过100万美元。伊图里矿业管理部门的官员报告说，视察期间，Baraka 不让他们进入他控制的矿区。Baraka 以前直接在坎帕拉出售黄金。2023年，出于安全原因，他不再前往乌干达。他目前的主要买家是 Iga-barrière 一个名叫“Yakee”的商人。¹⁶⁹

169. 一些消息来源称，Baraka 指挥的扎伊尔战斗人员对马班加地区所有活动地点的手工生产征税。在征收的各种税款中，被武装团体称为“安全税”的固定税款约占产量的20%。¹⁷⁰

170. 此外，每个半工业化经营者平均每月必须向 Baraka 缴纳1500美元。除了这笔税款外，时不时还有更高税款，有时高达5000美元。¹⁷¹ 专家组采访的一位经济人士证实，他在2023年12月直接向 Baraka 缴纳了5000美元。同一消息来源报告说，该地区所有其他经济经营者有时都被要求缴纳此类税款，否则他们将被禁止经营。

刚果民主共和国武装部队在伊图里采矿部门的业务往来

171. 刚果民主共和国武装部队某些官兵参与伊图里采矿部门和其他非法经济活动的情况仍然很普遍，这在以前就有记录(S/2022/967，第97-101段)。刚果民主共和国武装部队和安全方面的一些消息来源报告说，这是在转移部队在省内原定军事行动的注意力。根据刚果民主共和国情报部门的一项研究，部署在伊图里的刚果民主共和国武装部队有70%参与了公路征税和为私营采矿企业提供有偿安保。军政府省长的来信承认了伊图里省这一问题的严重性(见附件98)。

172. 专家组还获悉，自2023年以来，共和国卫队士兵非法参与了马哈吉县 Djalasiga 的 PE39 号周边的黄金开采。据称，共和国卫队是在代表政治公众人物和经济行为体保护该矿。¹⁷² 2023年11月以前，共和国卫队一直在这些地点

¹⁶⁹ 经济行为体、民间社会以及研究人员。

¹⁷⁰ 矿业管理部门、挖矿人以及民间社会消息来源。

¹⁷¹ 同上。

¹⁷² 目击者、挖矿人以及安全和民间社会消息来源。

设立固定据点。此后，他们将据点迁至 Aungba，不时前往这些地点非法监测采矿活动。

173. 刚果河联盟“主席” Corneille Nangaa(见第 23 段)告诉专家组，他通过与 Kilo Moto 采矿公司(Sokimo)的合资企业“Codo Resources”拥有 PE 39，但在 2019 年底被非法夺走。

174. 若干消息来源称，共和国卫队还责成一个名叫 Mugisha Saidi 的人收取该地区手工采矿产量的 30%。¹⁷³ 同一消息来源告诉专家组，这一收缴工作主要针对 Kolwezi、Zani 和 Codo 矿区正在开采中的矿坑。

四. 南基伍

A. “3·23”运动相关危机和布隆迪-卢旺达紧张关系所产生的影响以及“3·23”运动、刚果河联盟与武装团体之间的关联

南基伍北部的武装团体

175. 在南基伍北部地区活动的武装团体，主要是玛伊-玛伊愤怒公民组织和刚果保卫人民和民族团结运动，这些团体继续动员和加紧活动，利用“3·23”运动危机和“瓦扎伦多”地位确保其合法性，并请求刚果民主共和国当局提供支持(S/2023/990，第 83 段)。在 2024 年 1 月与专家组会晤期间，玛伊-玛伊愤怒公民组织和刚果保卫人民和民族团结运动领导人证实，在刚果民主共和国总统呼吁打击“3·23”运动之后，他们已重新动员起来(S/2022/967，第 34 段)。

176. 其中一些武装团体于 2023 年 10 月向北基伍派出了战斗人员(S/2023/990，第 86 和 87 段)。但在两周内，几乎所有人都返回了南基伍。玛伊-玛伊愤怒公民组织和刚果保卫人民和民族团结运动领导人报告说，尽管在北基伍一度与刚果民主共和国武装部队当局接触，包括与当时的军政府省长 Constant Ndimba 接触，但这些武装团体没有得到预期的支持，这促使他们返回了南基伍(见附件 99)。

177. 2024 年初，玛伊-玛伊愤怒公民组织若干领导人再次决定向北基伍派兵。但他们并没有让部队参与对“3·23”运动和卢旺达国防军的战斗，而是集中精力扩大领土控制范围，增加税收，开采自然资源，加紧招募人员，包括招募儿童。¹⁷⁴ 因此，玛伊-玛伊愤怒公民组织和刚果保卫人民和民族团结运动各派别之间及其内部经常发生冲突。自 2024 年 2 月以来，刚果民主共和国当局对玛伊-玛伊愤怒公民组织和刚果保卫人民和民族团结运动领导人发出了若干逮捕令，导致玛伊-玛伊愤怒公民组织领导人 Shabani 于 2024 年 3 月被捕(S/2023/990，附件 52)。¹⁷⁵

¹⁷³ 同上。

¹⁷⁴ 同上。

¹⁷⁵ 研究人员、民间社会以及联合国消息来源。

布隆迪-卢旺达局势紧张所产生的影响

178. 布隆迪和卢旺达之间的紧张关系(见附件 100)影响了南基伍的武装团体动态。两国都恢复或加强了与在刚果民主共和国活动的武装团体的接触，并向这些团体提供支持，以扩大对这些团体的影响。¹⁷⁶ 这使代理战争的风险扩展到了南基伍(见第 81-87 段)。

卢旺达对“法治塔巴拉”的支持

179. 卢旺达在 2015 和 2016 年向法治塔巴拉提供了支持(S/2016/466，第 46-50 段)，2018 和 2019 年再次提供支持，¹⁷⁷ 2022 年底再次向该武装团体提供支持(S/2023/431，第 140 段)。卢旺达与法治塔巴拉行动指挥官 Gisiga “将军”(又称“Kisiga”)接触(S/2021/560，第 159 段)，向他提供军事支持，作为交换，他将与特韦瓦内霍合作，提供战斗人员加入“3·23”运动(S/2023/431，第 139 段)。¹⁷⁸ Gisiga 说服几名法治塔巴拉军官和战斗人员加入了“3·23”运动，但没有事先通知法治塔巴拉领导人，特别是 Jean-Claude Bayanga 和 Alexis Sinduhije(S/2019/469，第 80 段)。¹⁷⁹ 这一举措失败，法治塔巴拉领导层对 Gisiga 进行了即决审判，后将他处决，¹⁸⁰ 法治塔巴拉当时拒绝了卢旺达的提议(见附件 101)。多个消息来源证实，法治塔巴拉此后审查了其立场，并通过卢旺达为战斗人员的后勤、招募¹⁸¹ 和移动提供便利，从卢旺达那里获得了好处。¹⁸²

180. 特别是，一些消息来源报告说，布隆迪国防军在小北区部署后(见第 81-87 段)，卢旺达协助法治塔巴拉战斗人员前往布隆迪，他们与来自刚果民主共和国的其他法治塔巴拉战斗人员一起参加了布隆迪境内的多起袭击。其中包括 2023 年 12 月发生的 Vugizo 袭击，据报此次袭击造成 20 名平民丧生。¹⁸³ 布隆迪总统埃瓦里斯特·恩达伊施米耶公开谴责卢旺达对法治塔巴拉的支持，对此卢旺达予以驳斥。法治塔巴拉很快声称袭击的是一个军事阵地，¹⁸⁴ ¹⁸⁵ 但否认与卢旺达和“3·23”运动有任何合作，指责布隆迪军方应对杀戮事件负责(见附件 102)。¹⁸⁶

¹⁷⁶ 两国都否认与武装团体开展了协作。

¹⁷⁷ 刚果民主共和国武装部队、研究人员、安全、情报、外交和联合国消息来源。

¹⁷⁸ Alexis Sinduhije、研究人员、情报、外交和联合国消息来源。

¹⁷⁹ Sinduhije 在会见专家组时否认自己是法治塔巴拉领导人之一。

¹⁸⁰ Alexis Sinduhije、研究人员、情报、外交和联合国消息来源。

¹⁸¹ 特别是在卢旺达的 Mahama 难民营。另见 S/2016/466，第 46 段。

¹⁸² 研究人员、安全、情报、外交和联合国消息来源。Sinduhije 向专家组否认了这一点。

¹⁸³ 见 <https://twitter.com/NtareHouse/status/1738612276284756360>。

¹⁸⁴ 见 https://twitter.com/Red_Tabara/status/1738543742544412921。

¹⁸⁵ 见 https://twitter.com/Red_Tabara/status/1738543742544412921。

¹⁸⁶ 见 https://twitter.com/Red_Tabara/status/1740784144794239460。

181. Vugizo 袭击发生后不久，布隆迪总统决定关闭布隆迪与卢旺达的边界，并使其在北基伍的军事部署更加公开化(见第 83 段)。两国开始在共同边界和刚果民主共和国境内增兵(见附件 103)。

布隆迪与 Jeva 领导的全国振兴和民主委员会-解放民族力量的合作

182. 自卢旺达恢复支持法治塔巴拉以来，布隆迪重新与 Jeva 领导的全国振兴和民主委员会-解放民族力量合作(S/2023/431，第 133 段)。布隆迪长期以来就与该委员会有联系。值得注意的是，2023 年初，全国振兴和民主委员会-解放民族力量协助布隆迪国防军在南基伍对法治塔巴拉采取行动(见附件 104)。¹⁸⁷ 此外，若干消息来源报告说，布隆迪自 2023 年下半年以来，为打“3·23”运动，向全国振兴和民主委员会-解放民族力量部队提供了训练。¹⁸⁸

卢旺达与 Hamada 领导的全国振兴和民主委员会的合作

183. 若干消息来源报告说，卢旺达与全国振兴和民主委员会-解放民族力量前军事指挥官 Hamada 在整个 2023 年期间加强了合作，¹⁸⁹ 主要是为了对抗布隆迪与 Jeva 领导的全国振兴和民主委员会-解放民族力量之间日益增多的接触。卢旺达还鼓励 Hamada 与布隆迪反对派武装团体合作。Hamada 在 2023 年从 Jeva 领导的主要团体中分裂出来，被全国振兴和民主委员会-解放民族力量领导层怀疑与卢旺达合作(S/2023/431，附件 72)。自分裂以来，Hamada 带着数量有限的战斗人员和装备转移到了南基伍的 Hewa Bora，在那里与布隆迪反对派武装团体民族解放力量合用同一地点。¹⁹⁰

布隆迪对刚果武装团体的态度转变

184. 随着布隆迪和刚果民主共和国最近达成军事协定(见第 81 段)，布隆迪不再需要刚果武装团体作为代理或侦察员在刚果民主共和国境内开展行动(S/2023/431，第 138 段)。¹⁹¹ 由于这些武装团体大多以鲁齐齐平原为根据地，对民众的侵害行为不断升级，特别是杀戮、绑架、勒索和抢夺牲畜，尤其是针对穆伦格族，因此，布隆迪逮捕了几名玛伊-玛伊民兵在布隆迪的领导人。布隆迪还向刚果民主共和国当局提供情报，导致刚果民主共和国武装部队在 2023 年 4 月至 2024 年 1 月期间逮捕了 Kijangala、Kapapa 和 Buhirwa 等玛伊-玛伊民兵领导人。¹⁹²

¹⁸⁷ 刚果民主共和国地方当局、研究人员、民间社会以及联合国消息来源。

¹⁸⁸ 研究人员、情报、安全以及联合国消息来源。

¹⁸⁹ 安全、外交和联合国消息来源以及研究人员。

¹⁹⁰ 全国振兴和民主委员会领导层、刚果民主共和国武装部队、安全、民间社会和联合国消息来源以及研究人员。

¹⁹¹ 刚果民主共和国地方当局、情报、安全和联合国消息来源以及研究人员。

¹⁹² 刚果民主共和国武装部队、刚果民主共和国地方当局、研究人员、情报、安全、民间社会以及联合国消息来源。

地方武装团体、“3·23”运动、刚果河联盟和卢旺达之间的关联以及由此产生的紧张局势

185. 卢旺达当局、“3·23”运动和刚果河联盟继续与驻扎在南基伍的刚果武装团体直接或间接接触或合作(S/2023/431, 第 142 段), 包括加入刚果河联盟。¹⁹³

186. 几名南基伍武装团体的代表前往内罗毕参加筹备会议, 推动于 2023 年 12 月宣布刚果河联盟成立(见第 23 段)。¹⁹⁴ 其中包括 Mkangya Nyamachabo(别名 Microbe), 代表保卫刚果爱国阵线(保卫刚果阵线)领导人 Ebuella “将军”, 以及比洛泽-比沙布克武装部队(比武部队)主席 Jacques Naluhogola。¹⁹⁵ 2024 年 1 月, Microbe 被刚果民主共和国当局逮捕, 当局还在他家中发现了旅行证件, 上面盖有 2023 年 12 月用假名进入肯尼亚、乌干达和卢旺达的入境章。

187. 与“3·23”运动、卢旺达和变革力量联盟的关联说明武装团体领导人之间伺机合作(见附件 105)。

188. 在过去几个月中, 与“3·23”运动、卢旺达和刚果河联盟的这种联系导致南基伍武装团体之间和内部的紧张局势加剧。一方面, 不断有传言说, “3·23”运动在南基伍开辟第二战线, 包括由特韦瓦内霍作为代理, 导致特韦瓦内霍和玛伊-玛伊民兵团体自 2023 年 12 月以来再次爆发冲突。另一方面, 武装团体领导人利用与“3·23”运动、卢旺达和刚果河联盟有联系的指控来算账和消灭对手, 从而造成关系进一步紧张和冲突(见附件 106)。¹⁹⁶

B. 武装团体参与菲齐县黄金开采和交易情况

189. 各武装行为体继续控制菲齐县黄金开采和交易。受制裁个人威廉·阿德里·亚库通巴(CDi.043)领导的玛伊-玛伊民兵亚库通巴派武装团体控制着菲齐县的大部分黄金开采活动, 这经常导致与其他武装团体的关系紧张, 这些团体对非法开采黄金所得收益的分配不公平感到不满(见附件 107)。武装团体的控制也导致黄金供应链受到污染。

营利性非法税收制度

190. 菲齐县的所有武装团体都对各种经济活动, 特别是黄金开采活动采用非法征税制度(见附件 108)。Katchanga 矿是米西西地区最大的矿场, 有 10 000 多名挖矿人和几百个正在开采的矿坑, 该矿场约有 100 名玛伊-玛伊民兵亚库通巴派战斗人员(见附件 109)。战斗人员和刚果民主共和国武装部队士兵都对挖矿人、辅助工人、设备和出产征税, 声称这是确保工地或工地周围安全所必需的(见附件 110)。

¹⁹³ 南基伍武装团体领导人、刚果民主共和国武装部队、研究人员、情报、安全、民间社会、外交和联合国消息来源。

¹⁹⁴ 武装团体代表、研究人员、情报、安全、外交和联合国消息来源。

¹⁹⁵ 据报, 比洛泽-比沙布克武装部队是 Mirindi 上校 2023 年初为与“3·23”运动合作而接触的武装团体之一。另见 S/2023/431, 附件 74。

¹⁹⁶ 情报、安全、民间社会、联合国消息来源以及研究人员。

191. 一些矿坑所有者报告说，一旦他们的矿坑被认为有产出，玛伊-玛伊民兵亚库通巴派战斗人员就强迫他们每天离开矿坑数小时，在此期间他们就将所有矿石占为己有。此后，从 Kachanga 山侵吞来的矿石被运往 Miba 平原，在那里由破碎机拥有者对矿石进行加工，提出黄金。

192. 每个破碎机拥有者被迫每月向玛伊-玛伊民兵亚库通巴派缴纳相当于 18 美元的税款，仅此一项每月至少就产生 10 000 美元。¹⁹⁷

193. 储罐经营合作社对手工采矿者倾倒的尾矿进行化学处理，而玛伊-玛伊民兵亚库通巴派对储罐经营合作社的这一业务征税，这是玛伊-玛伊民兵亚库通巴派的另一个收入来源。在米西西地区开展业务的四个主要储罐合作社被迫每年向该武装团体缴纳相当于至少 45 000 美元的税款。

194. 与威廉·亚库通巴关系密切的人报告说，战斗人员收取的税款和黄金直接交给亚库通巴本人，亚库通巴用这些钱给他的部队发军饷，并向他们提供军事装备。¹⁹⁸

玛伊-玛伊民兵亚库通巴派的黄金供应链被污染情况

195. 参与黄交易的目击者解释说，玛伊-玛伊民兵亚库通巴派开采的大部分黄金都是从菲齐县的 Talama-Lubanda 经坦噶尼喀湖贩运到坦桑尼亚联合共和国。¹⁹⁹ 专家组向坦桑尼亚联合共和国提出了到访请求，坦桑尼亚未作答复。因此，专家组无法进一步审查这些指控。

196. 亚库通巴的另一部分黄金被运往了乌维拉。参与在尼扬日和米西西(玛伊-玛伊民兵亚库通巴派控制的菲齐县的两个地区)所开采黄金交易的两个中间人报告说，2023 年 9 月和 2024 年 2 月，他们从米西西向乌维拉共运送了 7 公斤黄金，布卡武和布琼布拉的经济行为体在乌维拉购买了这些黄金。黄金所有者、玛伊-玛伊民兵战斗人员在运输过程中陪同中间人。

在米西西进行尽职调查方面的挑战

197. 玛伊-玛伊民兵亚库通巴派控制了该地区的黄金开采，威廉·亚库通巴禁止刚果民主共和国矿警和司法部门代表进入米西西地区的几个矿区，²⁰⁰ 这些都使专家组的供应链尽职调查准则的遵守情况大打折扣。²⁰¹

198. 在米西西开展业务的五个经济行为体一致报告说，他们向玛伊-玛伊民兵亚库通巴派支付了款项，包括黄金，他们认为该团体是合法的瓦扎伦多团体，可保证他们的安全。专家组指出，向受制裁个人付款构成应受制裁的行为。

¹⁹⁷ 挖矿人和民间社会行为体。

¹⁹⁸ 安全和民间社会消息来源、玛伊-玛伊民兵亚库通巴派战斗人员以及研究人员。

¹⁹⁹ 安全消息来源、研究人员、挖矿人和商人。

²⁰⁰ 矿警以及受到威廉·亚库通巴直接威胁后离开了米西西的 1 名检察官。

²⁰¹ 见 www.un.org/securitycouncil/sanctions/1533/due-diligence-guidelines。

C. 特韦瓦内霍融资

199. 专家组的记录显示，武装团体特韦瓦内霍通过设在乌维拉的一个名为“Shikama”的穆伦格互助会获得了财政和物质支持。特韦瓦内霍还继续在其控制地区非法征税。

地方税

200. 对生活在特韦瓦内霍控制区的穆伦格人社区成员非法征税仍然是该武装团体的一个重要资金来源(S/2023/431, 第 159 段)。例如，米内姆布韦大约 1 360 名学校教职员工被迫每月缴纳 5 000 刚果法郎，每月共计 2 517 美元。税款由一名学校教师收取，直接交给特韦瓦内霍的协调员 Welcome Ndakize Kamasa。此外，无法进行义务巡逻的平民要缴纳 5 000 刚果法郎的罚款(S/2023/431, 第 154 段)。²⁰²

通过乌维拉的 Shikama 筹集资金

201. 专家组查阅了两份文件，其中显示 Shikama 在乌维拉资助物品和服务，包括“食品”、“药品”和“医院”，目的地是上高原地区，包括米内姆布韦、Rurambo、Bwegera、Bikobogobo 和特韦瓦内霍领导人所在的 Muchohagati-Bijabo 森林。²⁰³ 多个消息来源报告说，这两份文件中提到的一些物品和服务实际上是指定运往特韦瓦内霍的军事和两用物品的代号(见附件 111)，目的是避免被国家执法部门发现。²⁰⁴ 专家组咨询时，乌维拉的 Shikama 对此予以否认。

202. 2023 年 1 月至 11 月期间，上述转账金额达 104 412 美元。乌维拉的 Shikama 报告说没有经常预算，而是依靠外部资金捐助，这一点已得到多方证实。²⁰⁵ 现金由专人从布隆迪布琼布拉跨境带到乌维拉。其他资金通过国际汇款和移动支付服务电汇。²⁰⁶

203. 对两份文件中的密码进行分析后发现，从 2023 年 1 月至 11 月，乌维拉的 Shikama 分发了 31 981 美元(占总额的 31%)，用于向特韦瓦内霍提供武器和物资、军服、情报和通信工具；分发了 29 350 美元(占 28%)，用于提供医疗保健和用品，以惠及平民和特韦瓦内霍；分发了 43 081 美元(占 41%)，用于向上高原提供人道主义援助。²⁰⁷

²⁰² 米内姆布韦、乌维拉和布卡武的社区消息来源。

²⁰³ 文件和熟悉乌维拉 Shikama 财务报告和活动的消息来源。

²⁰⁴ 米内姆布韦、乌维拉、布卡武、Baraka 和戈马的社区消息来源以及 Shikama 和 Gakondo 的消息来源。

²⁰⁵ 同上。

²⁰⁶ 同上。

²⁰⁷ 同上。

五. 跨境黄金走私

204. 专家组继续记录刚果民主共和国通过其邻国，特别是卢旺达和乌干达非法交易黄金(S/2019/469，第 178-184 段)。专家组还跟踪了普里梅拉金业公司购买和出口黄金的动态。

出口卢旺达的跨境贸易

205. 专家组于 2024 年 3 月访问了基加利，访问期间，卢旺达当局指出，最近几个月的国家统计数据中没有刚果民主共和国黄金进口或过境的记录。但专家组在卢旺达约谈的消息来源承认，刚果民主共和国黄金至少在卢旺达过境(S/2016/466，第 151-155 段；S/2018/531，第 127 和 128 段)。²⁰⁸ 卢旺达总统保罗·卡加梅总统的讲话也反映了这一点(见附件 112)。

206. 布卡武的商人报告说，当地黄金市场缺乏竞争力，促使他们将在南基伍收集的黄金出售给卢旺达基加利或尚古古的买家。在布卡武购买黄金的尚古古买家与 2023 年 5 月被捕的个人有关联(见附件 113)。²⁰⁹

Gasabo 黄金精炼厂

207. Aldango 黄金精炼厂关闭后(S/2020/482，第 90 段)，设在基加利的 Gasabo 黄金精炼厂于 2022 年 6 月 1 日开始开展精炼活动。专家组与该公司管理层会晤和通信后得出结论认为，Gasabo 黄金精炼厂的尽职调查政策存在缺陷。

208. 特别是，Gasabo 黄金精炼厂的管理人员报告说，没有一个既定程序来追踪客户交付给精炼厂的黄金的确切来源。鉴于从刚果民主共和国以欺诈手段进口的黄金在基加利的流通，²¹⁰ 以及 Gasabo 黄金精炼厂作为卢旺达唯一一家黄金精炼厂的地位，出口前需要精炼的黄金极有可能被运到了 Gasabo 黄金精炼厂。

出口乌干达的跨境贸易

209. 一些消息来源报告说，坎帕拉仍然是从刚果民主共和国非法进口黄金的过境路线(S/2018/1133，第 97-104 段；S/2018/531，第 120 和 121 段；以及 S/2017/672/Rev.1，第 119-126 段)。²¹¹ 刚果民主共和国和乌干达之间边境管制薄弱，为黄金贩运提供了便利。

210. 2024 年 1 月，专家组访问了伊图里的 Mahagi 镇，该镇是个人从布尼亚向乌干达运输黄金的中转站。刚果民主共和国安全部门报告说，从 Mahagi 县通往乌

²⁰⁸ 民间社会和保密消息来源。

²⁰⁹ 经济行为体以及安全和民间社会消息来源。

²¹⁰ 民间社会以及保密消息来源。

²¹¹ 经济行为体、情报、安全、民间社会消息来源以及矿业官员。

干达的数百条贩运路线不在其有效控制范围内。一些消息来源证实，他们利用这些路线，例如将黄金卖给乌干达 Paidha 的交易商。²¹²

金属测试和冶炼有限公司

211. 一些消息来源指出，大多数以坎帕拉为基地的黄金交易商在知情的情况下购买从刚果民主共和国走私的黄金。²¹³ 金属测试和冶炼有限公司及其董事一直被指购买从刚果民主共和国开采的黄金。

212. 金属测试公司是坎帕拉主要的黄金出口商之一。该公司的所有人是 Himat Dhedi(又名 Patel Himat)。包括刚果民主共和国官员和司法部门人士在内的多个消息来源告诉专家组，该公司董事与布卡武的一家黄金供应商进行了一笔交易，根据该交易，金属测试公司为黄金供应支付了预付款。Dhedi 和走私者之间的这笔交易一直持续到 2023 年年中。

213. 坎帕拉的 3 名个人还描述了 2022 年和 2023 年金属测试公司的管理人员如何数次派他们前往乌干达-刚果民主共和国边境的 Arua 从走私者手中购买黄金。这些个人的职责仅限于检查黄金的真伪，并以现金或银行转账的方式转移给他们的资金。这些个人报告说，他们每周多次交易，每次交易价值 20 公斤黄金。专家组无法与金属测试公司讨论这些调查结果。

关于刚果民主共和国普里梅拉金业公司的最新情况

214. 自中期报告(S/2023/990，第 91-97 段)发表以来，专家组从刚果民主共和国普里梅拉金业公司处获得了一份详细报告，其中说明了该公司为解决其供应链中已查明的缺陷而打算采取的措施。这些措施的有效性仍有待评估。

215. 专家组与普里梅拉金业公司讨论了其供应链在刚果民主共和国沙本达县受到污染的风险(见附件 114)。

216. 自 2023 年 10 月以来，普里梅拉金业公司的黄金出口大幅下降(见附件 115)。2023 年 5 月至 10 月，普里梅拉金业公司每月平均出口 500 公斤。2024 年 3 月，该公司仅出口了 164 公斤黄金。一些消息来源报告说，与黑市(S/2023/990，第 99 段)或布隆迪、乌干达和卢旺达黄金交易商提供的价格相比，普里梅拉金业公司的报价更低。因此，参与黄金贸易的行为体选择向这三个国家走私黄金，导致普里梅拉金业公司的出口量下降。²¹⁴

217. 出口下降也反映了普里梅拉金业公司与其阿联酋合作伙伴普里梅拉集团和 AuricHub 之间的关系紧张(S/2023/431，第 173 段)。专家组的上一份报告强调了普里梅拉金业公司的不足之处(S/2023/990，第 91-100 段)，自那以后，AuricHub 在向外国客户和阿拉伯联合酋长国市场销售从刚果民主共和国进口的黄金方面

²¹² 运输商和中间商。

²¹³ 刚果民主共和国和乌干达的经济行为体、民间社会、安全和情报消息来源。

²¹⁴ 经济行为体以及保密消息来源。

就遇到了困难。²¹⁵ 还有消息称，普里梅拉集团希望将重点从刚果民主共和国的手工金矿开采转移到利润更丰厚的重要矿产上。这在一定程度上解释了为什么普里梅拉集团向刚果民主共和国普里梅拉金业公司输送的资金减少的原因。²¹⁶

218. 黄金交易商 Sibtein Alibhai(S/2023/990, 见附件 60)与基加利的经济人士 Raza Saqlain Bhai 保持经济联系。Saqlain Bhai 代表 Alibhai 协助将刚果黄金从基加利运往迪拜。专家组无法与 Saqlain Bhai 讨论此事。

219. 尽管 Alibhai 已于 2023 年 6 月辞职，但他仍是普里梅拉集团的核心人物。例如，2024 年 2 月和 3 月，他代表普里梅拉接触了几名黄金走私犯，并向他们提供了商机。²¹⁷ 专家组询问普里梅拉集团和 AuricHub 他们目前与 Alibhai 的关系，普里梅拉集团和 AuricHub 未作回答。

六. 建议

220. 专家组提出以下建议：

刚果民主共和国政府：

(a) 与国际伙伴合作，调查爆炸性武器(包括无人机载爆炸物)的使用情况，并避免在人口居住区使用这些武器(见第 50、51、93、94 段以及第 96-98 段)；

(b) 停止与所有武装团体，特别是卢民主力量-救世战斗军的一切合作(见第 21 段以及第 60-79 段)；

(c) 调查并起诉应对违反国际人道法和国际人权法行为负责的个人，包括刚果民主共和国武装部队人员，以及参与非法采矿活动人员(见第 118-121 段、第 123 段以及第 171-174 段)；

(d) 执行国家法律(2009 年第 09/001 号法律)，调查和起诉对招募、训练和使用儿童兵负有责任的所有个人，并立即采取行动确保释放儿童(见第 99-115 段)；

(e) 摧毁民主同盟军在监狱中的网络，调查并起诉任何直接或间接为民主同盟军被拘留者的非法活动提供便利的权力部门(见第 16-18 段)；

刚果民主共和国政府和国际伙伴

(f) 将安全部门改革列为优先工作，并确保刚果民主共和国武装防卫后备队通过彻底审查程序，将有文件证明实施了违反国际人道法/国际人权法行为的个人排除在外(见第 65 和 80 段)；

²¹⁵ 来自阿拉伯联合酋长国的保密消息来源。

²¹⁶ 来自阿拉伯联合酋长国的保密消息来源以及与普里梅拉金业公司关系密切的消息来源。

²¹⁷ 安全、保密和民间社会消息来源。

联合国会员国

(g) 防止资助和/或支持卢旺达国防军的军事活动，因为这可能会促进卢旺达国防军在刚果民主共和国的行动(见第 40-54 段)；

(h) 与具有代表性的行业协会和国际组织召开会议，使矿产供应链的上游和下游行为体认识到，在从鲁巴亚地区采购矿产时，必须加强自身的尽职调查(见第 148 段)；

卢旺达政府

(i) 将武装部队和武器撤出刚果民主共和国(见第 40-54 段)；

(j) 要求 Gasabo 黄金精炼厂遵守专家组的尽职调查准则，包括确定黄金原产地(见第 207 段)；

卢旺达政府、布隆迪政府、乌干达政府

(k) 停止或阻止与活跃在刚果民主共和国的外国和当地武装团体合作和(或)向其提供支持(见第 196、206、211-213 和 218 段)；

(l) 对参与走私源自刚果民主共和国黄金的个人和网络进行调查和起诉(见第 204-219 段)；

(m) 调查在难民营中为“3·23”运动招募和跨境贩运未成年人的情况(见第 103-105 段)。

List of annexes

- Annex 1 (para. 10) - ADF operational mobility
- Annex 2 (para. 11) - ADF new “Death triangle” between Mamove, Samboko and Oïcha and attacks against urban centres
- Annex 3 (para. 12) - ADF operational activities in Uganda
- Annex 4 (para. 13) - ADF abductees turned into collaborators
- Annex 5 (para. 15) - ADF financial struggles
- Annex 6 (para. 17) - ADF organizational system in prison
- Annex 7 (para. 17) - Escape from detention of an ADF operative
- Annex 8 (para. 18) - Recruitment and mobilization by ADF detainees
- Annex 9 (para. 21) - FPP/AP expansion to Ituri
- Annex 10 (para. 21) - Agreement between FPP/AP and Chini ya tuna to collaborate with FARDC to track down ADF
- Annex 11 (para.23) - Transcript of the declaration of Corneille Nangaa at a press conference held in Nairobi on 15 December 2023
- Annex 12 (para. 25) - Countries visited by Corneille Nangaa in connection with the launching AFC
- Annex 13 (para.25) - Diplomatic tensions between Kenya and the DRC following the launching of the AFC
- Annex 14 (para. 26) - Armed groups initially cited as members of the AFC and their denials
- Annex 15 (para.27) - Appointment of AFC leaders
- Annex 16 (para.28) - AFC delegates touring regional states and M23-controlled areas since late December 2023
- Annex 17 (para.28) - AFC rally in Kiwanja, Rutshuru territory on 28 March 2024
- Annex 18 (para.28) - Prominent political figures joining AFC
- Annex 19 (para. 28) - Other political actors joining AFC: Jean-Jacques Mamba Kamamba defecting MLC and assuming official AFC membership
- Annex 20 (para. 30) - Update on regional initiatives
- Annex 21 (para. 31) - Temporary ceasefire brokered between the DRC and Rwandan Presidents in November and December 2023
- Annex 22 (para. 34) - Maps showing the M23/RDF area of influence and the encirclement of Goma town, and details regarding the increase of M23/RDF area of influence
- Annex 23 (para. 35) - Examples of CH4 drone strikes targeting M23
- Annex 24 (para. 35) - Appointments and promotions among M23 military and civilian staff
- Annex 25 (para. 35) - M23 parallel administration, and heavy-handed control over civilians and humanitarian actors
- Annex 26 (para. 38) - Military training camp at Tchanzu
- Annex 27 (para. 40) - Additional information on the presence and strategic positioning of RDF elements in Petit Nord, including aerial footage and photographic evidence

- Annex 28 (para. 41) - RDF troops entering the DRC in January 2024, and RDF and M23 elements taking control over additional areas around Sake and North of Sake
- Annex 29 (para. 42) - RDF troops providing critical support in the occupation of Rwindi in March 2024, and FARDC withdrawal
- Annex 30 (para. 43) - RDF division, brigades and battalions, RDF officers, and former FDLR combatants involved in operations in Petit Nord
- Annex 31 (para. 44) - Governments and the EU calling upon Rwanda to halt support to M23 and withdraw RDF from DRC territory
- Annex 32 (para. 44) - Security Council press statement on the situation in the DRC
- Annex 33 (para. 47) - Characteristics of the SHORAD system spotted in Bumbi
- Annex 34 (para. 47) - Drone footage of SHORAD system that failed to strike MONUSCO drone, and picture of SHORAD system in Kitshanga
- Annex 35 (para. 49) - Anti-air capabilities of M23 and RDF
- Annex 36 (para. 50) - Picture of the remnant of a 81mm mortar shell hitting a Sukhoi aircraft on the tarmac at the airport of Goma on 17-18 February 2024
- Annex 37 (para. 51) - Drone-borne IEDs used by the DRC Republican Guard Regiment Special Unit in Kimoka
- Annex 38 (para. 52) - Analysis of the recovered 120 mm guided mortar shells
- Annex 39 (para. 53) - Imagery confirming the use of 120 mm guided mortars by RDF units
- Annex 40 (para. 53) - Use of 120 mm mortars against SADC troops
- Annex 41 (para. 53) - The use of guided mortars by Baudoin Ngaruye's M23 unit
- Annex 42 (para. 54) - Additional information on RDF and M23 weaponry
- Annex 43 (para. 61) - Letter signed by Guidon Shimiray Mwisa as VDP "commander"
- Annex 44 (para. 61) - On 7 December 2023, Jules Mulumba, VDP Spokesperson, met with President Felix Tshisekedi in Kinshasa
- Annex 45 (para. 62) - Examples of VDP attacks to recapture areas controlled by M23 and RDF
- Annex 46 (para. 64) - Arms, logistics, training, and cash money provided to the VDP armed groups fighting in Petit Nord against the M23 and RDF
- Annex 47 (para.65) - Lifting of the moratorium on the execution of death penalty sentences
- Annex 48 (para. 68) - Communiqué of the Front Commun de la Résistance (FCR) of 29 December 2023
- Annex 49 (para.69) - VDP and Wazalendo meeting with the Government on 8 April 2024
- Annex 50 (para. 70) - FARDC Chief of Staff's instructions banning collaboration with the FDLR
- Annex 51 (para. 74) - FDLR-FOCA Leadership
- Annex 52 (para.80) - Update on the national defence reserve force (RAD)
- Annex 53 (para. 81) - Additional information on the covert FDNB deployment and analysis of the minutes of the FARDC-FDNB meetings
- Annex 54 (para. 82) - FDNB EACRF troops' withdrawal from Kitchanga, Mweso and Kilolirwe, and arrest of FDNB troops in Burundi
- Annex 55 (para. 83) - Additional information on FDNB deployments from December 2023 onwards, and FDNB command

Annex 56 (para. 85) - Examples of M23 communiqués identifying FDNB, alongside FARDC, FDLR and PMC as its enemy, and additional information in FDNB killed or captured by M23

Annex 57 (para. 88) - SAMIDRC deployment and operations

Annex 58 (para. 89) - EACRF withdrawal and Springbok

Annex 59 (para. 90) - Changes in the movement of the displaced population in North Kivu since the beginning of the M23 crisis

Annex 60 (para. 91) - Unprecedented levels of conflict-related sexual violence

Annex 61 (para. 93) - Rise in civilian casualties due to use of heavy artillery in or near urban areas

Annex 62 (para. 94) - Incidents involving heavy artillery fire by M23, RDF and FARDC, resulting in civilian casualties

Annex 63 (para. 97) - Military positions established near or within civilian settlements

Annex 64 (para. 98) - International Humanitarian Law provisions regarding use of indiscriminate weapons

Annex 65 (para. 101) - M23 child recruitment in DRC

Annex 66 (para. 104) - Recruitment of children by RDF officers in refugee camps in Rwanda

Annex 67 (para. 110) - Recruitment and use of children by Wazalendo groups in Petit Nord

Annex 68 (para. 113) - Impunity exacerbating the use of children

Annex 69 (para. 114) - DRC Legal framework on the prohibition to recruit and use children in armed conflict

Annex 70 (para. 116) - M23 and RDF targeting of civilians, notably killings and executions

Annex 71 (para. 118) - The Wazalendo did not target any particular ethnic group

Annex 72 (para. 120) - Kidnappings for ransom, arbitrary detentions, and executions perpetrated by Wazalendo armed groups

Annex 73 (para. 123) - Systematic attacks on MONUSCO

Annex 74 (para. 124) - Map of wooden planks transport routes and checkpoint locations

Annex 75 (para. 124) - Type, size and prices of wooden planks sold at wholesale markets in Goma

Annex 76 (para. 125) - Net forest loss in Petit Nord

Annex 77 (para. 128) - Receipts of illegal taxes levied by M23 on trucks transporting wooden planks

Annex 78 (para. 131) - Receipts of illegal taxes levied by the Wazalendo armed groups

Annex 79 (para. 133) - Illegal logging in FDLR/FOCA controlled areas

Annex 80 (para. 137) - Illegal taxes paid by road users at OPRP check point in Kanyaruchinya

Annex 81 (para. 140) - Incident records from mining pits belonging to Shamamba in Rubaya and evidence of continued exploitation and control of mines by PARECO-FF

Annex 82 (para. 141) - Communiqué on the suspension of ITSCI Program in all of Masisi territory

Annex 83 (para. 141) Screenshots from videos showing mineral smuggling from Rubaya

Annex 84 (para. 142) - Communiqué by PARECO-FF against mineral trading from Rubaya

Annex 85 (para. 145) - Communication dated 5 April 2024 on the resumption of mineral trade from Rubaya to Goma via Minova and Lake Kivu

Annex 86 (para. 146) - Production data from selected sites in Masisi that show inconsistency of tagged production

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- Annex 87 (para. 148) - Responsible Minerals Initiative (RMI) statements
- Annex 88 (para. 149) - Zaïre armed group's letter of commitment to adhere to the peace process.
- Annex 89 (para. 150) - Zaïre armed combatants in a speedboat and pickup vehicle
- Annex 90 (para. 152) - Ituri-based armed groups rejecting their alleged membership in AFC
- Annex 91 (para. 155) - Examples of CODECO-URDPC Attacks
- Annex 92 (para. 156) - FARDC Spider I and II operations against armed groups
- Annex 93 (para. 159) - CODECO-URDPC attacks on humanitarian vehicles and personnel
- Annex 94 (para. 159) - Attack on Drodro hospital during the night of 6 to 7 March 2024
- Annex 95 (para.160) - Kidnapping and killing of civilians at Tali
- Annex 96 (para. 161) - Kidnapping and killing of 15 civilians at Galay and Andisa
- Annex 97 (para. 163) - Weekly production on a few mining sites in Djugu territory
- Annex 98 (para. 171) - Selection of correspondences relating to the involvement of FARDC in mining activities
- Annex 99 (para. 176) - Return of armed groups from North Kivu
- Annex 100 (para. 178) - Tensions between Burundi and Rwanda
- Annex 101 (para. 179) - Rwanda's offer to support Red-Tabara and parallel initiative
- Annex 102 (para. 180) - Reactions to Red-Tabara attacks in Burundi
- Annex 103 (para. 181) - Troop reinforcements along the borders of Rwanda, Burundi and DRC
- Annex 104 (para. 182) - Background on Burundi collaboration with CNRD-FLN
- Annex 105 (para. 187) - Example of opportunism of Congolese armed groups based in South Kivu
- Annex 106 (para. 188) - Examples of Congolese armed groups using accusations of collaboration with M23 to settle internal rivalries
- Annex 107 (para. 189) - Clashes between groups over the gold revenue sharing
- Annex 108 (para. 190) - Receipts of illegal taxes levied by Mai Mai Yakutumba
- Annex 109 (para. 190) - Mission order confirming the presence of Mai Mai Yakutumba on the mining sites Zone and Miba
- Annex 110 (para. 190) - Illegal taxation by FARDC in Misisi
- Annex 111 (para. 201) - Codewords used in Shikama Uvira's financial statements
- Annex 112 (para. 205) - Extract from the speech of President Paul Kagame
- Annex 113 (para. 206) - Operation against gold smuggling in Bukavu
- Annex 114 (para. 215) - Risk regarding Primera Gold DRC supply chain in Shabunda
- Annex 115 (para. 216) - Primera Gold DRC Exports (May 2023 – March 2024)

Annex 1 (para. 10)**ADF operational mobility****Mobilité opérationnelle des ADF**

During the reporting period, ADF conducted pendular movements in both directions of the RN4 (Beni-Komanda road) and from Ituri province to Beni territory, in North Kivu (see map 1 below).¹ For example, several ADF ex-combatants and abductees explained that the group led by Mzee Meya frequently conducted operations back and forth between Ituri province and Beni territory, including as far as the Mbau-Kamango road. However, until recently, Mzee Meya's group had been mainly operating in Ituri, notably west of RN4 ([S/2023/990](#), annex 9). Since their dislodging from Mwalika camps, the Amigo and Abwakasi groups ([S/2023/990](#), annex 8) were also roaming along the RN4, particularly at the border between Ituri province and Beni territory. The presence of some of Amigo's and Abwakasi's combatants was reported near Oïcha, where they conducted the deadly October 2023 attack ([S/2023/990](#), annex 8).² These combatants were also mainly responsible for the attacks around Mavivi and Beni (see para 11).

ADF also continued to be active west of RN4, in Ituri province, including along RN44 (the Biakato-Mambasa road) and along the Mambasa-Komanda road, and in the area between Luna and Mambasa.³ Baluku's camp, also called Madina (see [S/2021/560](#), annex 3) was reported to have relocated at the end of 2023 between RN44 and RN4, to the west of RN4 and the Ituri river, (see map 2 below). Similarly, in Beni territory, the ADF "death triangle", formerly located between Oïcha, Eringeti and Kamango ([S/2019/469](#), paras. 17), shifted west of RN4 between Oïcha, Mamove and Samboko (see annex 2).

These areas in Ituri and in the new "death triangle" offered many advantages to ADF, such as access to the above-mentioned roads as well as dense forests, providing protection to its combatants, particularly to hide from drones operated by the FARDC and/or UPDF. ADF also benefitted from sufficient water supplies and access to food along the Ituri river and the numerous farm fields which they raided in these areas.⁴ ADF also took advantage of the scarce presence of security forces, particularly as Operation Shuja maintained its presence east of RN4, although it was initially meant to extend further west of RN4 at the end of 2023. According to several sources, the failure of Operation Shuja to expand west of RN4 was notably due to growing tensions between UPDF and FARDC, the latter wanting to keep UPDF closer to the Ugandan border.⁵

Several sources reported the presence of a landing strip close to Madina camp and to several other ADF camps concentrated in the area.⁶ While the Group could not yet ascertain whether ADF used this landing strip, it notes that in the past, several ex-combatants, collaborators and abductees already reported the existence of several landing strips used by the ADF, notably to transport supplies.

¹ ADF ex-combatants, ADF collaborators, former abductees, FARDC, intelligence, researchers, civil society, diplomatic and UN sources.

² ADF ex-combatants, ADF collaborators, former abductees, FARDC, intelligence, researchers, and UN sources.

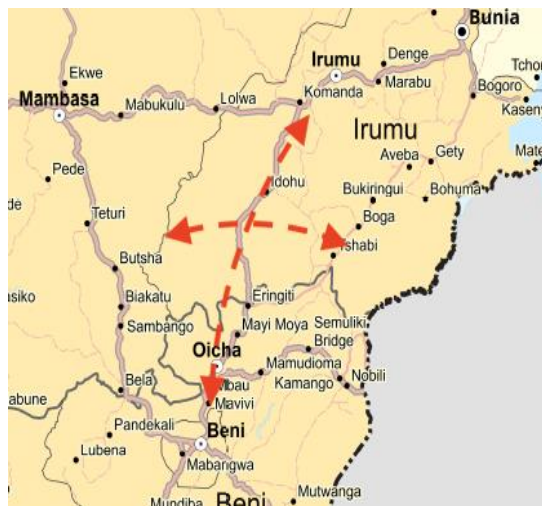
³ ADF ex-combatants, ADF collaborators, former abductees, FARDC, intelligence, researchers, civil society, diplomatic and UN sources.

⁴ Idem

⁵ FARDC, UPDF, intelligence, researchers and UN sources.

⁶ ADF ex-combatant, FARDC, UPDF, researchers and UN sources.

Map 1 - ADF pendular movements on both sides of RN4, and between Ituri province and Beni Territory



Source: MONUSCO. Map annotated by the Group

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Map 2 - Location of Madina and several ADF camps in Ituri (early 2024)



Map Data: Google, ©2024 Source, Imagery Date: 10042024
Map annotated by the Group

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

Annex 3 (para. 12)**ADF operational activities in Uganda****Activités opérationnelles des ADF en Ouganda**

Following a series of ADF attacks and failed bombing attempts in Uganda, in October 2023 UPDF killed several combatants and arrested others in Uganda who were responsible for the attacks at the end of 2023 ([S/2023/990](#), paras 17-18). This included ADF commander Musa Kamusi, killed in December 2023 in Kibale National Park in Uganda, after a manhunt.¹⁰ Before being killed, Musa Kamusi and some ADF combatants had however managed to carry out other deadly attacks against civilians in western Uganda.¹¹

In early 2024, a new group of combatants infiltrated Uganda.¹² Ex-combatants and security sources reported that ADF planned to continue targeting tourist areas and intended to establish a permanent operational presence in Uganda, leveraging the extensive network of ADF cells within the country.

¹⁰ ADF ex-combatants, UPDF, FARDC, intelligence, researchers, diplomatic and UN sources.

¹¹ Ibid.

¹² FARDC, UPDF, intelligence sources and researchers.

Annex 4 (para. 13)**ADF abductees turned into collaborators****Les personnes enlevées par les ADF utilisés comme collaborateurs**

Ex-combatants and abductees reported to the Group that recently ADF had released several abductees on the condition that they would become ADF collaborators. For example, a nurse abducted in Ituri in 2023, was quickly released and tasked to return to the health centre where she worked, in exchange for providing ADF with medical supplies.

Similarly, during the dismantling of a few key ADF collaborators' networks by FARDC intelligence and judicial prosecutors in the last months, several former abductees were identified as collaborators, including from the 104 abductees liberated in September 2023 ([S/2023/990](#), annex 9). Following the release of certain abductees, the DRC intelligence and judicial authorities in Beni territory put in place an elaborate system of surveillance because they suspected that some had been turned into collaborators. This surveillance system allowed the authorities to identify some released abductees who had become ADF operatives. This included a young man who reported having been abducted during the Oïcha attack in October 2023 (see annex 2) and who was found with two IEDs handed to him by Abwakasi with the objective of detonating them in Beni. He explained to the DRC authorities that a dozen other young men had also been abducted during the Oïcha attack and were given a similar mission to infiltrate other urban areas with IEDs.

Screenshots of a video filmed by FARDC to present several ADF collaborators arrested early 2024 including a recently released abductee.

Video provided to the Group by security sources

Annex 5 (para. 15)**ADF financial struggles****Les difficultés financières des ADF**

Several sources reported that ADF was struggling financially, notably due to the dismantling of several key ADF networks by the DRC authorities, which ADF was not always able to quickly replace given the military operations against the armed group. Sources also stated that the killing of Al-Sudani had disrupted some financial support that ADF had received from ISIL/Da'esh ([S/2023/431](#), paras. 29-33).¹³ Consequently, ex-combatants and abductees, including farmers, informed the Group that ADF faced financial difficulties and was struggling to resupply food and essential items.

As a result, ADF has ventured into new business activities, such as the illicit trade of cocoa, a practice the armed group had avoided until now ([S/2021/560](#), paras. 32-38).¹⁴ Although ADF's involvement in the illicit trade of cocoa remained on a small scale, the armed group collected, or forced farmers to collect, cocoa in their fields. To minimize resistance, they sometimes killed farmers in an area, sparing only one or two individuals¹⁵ who were then compelled to harvest, collect and sell the cocoa in towns on behalf of ADF.¹⁶ ADF also increasingly resorted to kidnappings for ransom. Mzee Meya and his group were frequently cited as resorting to such practices.¹⁷ They demanded amounts ranging from USD 200 to 10,000, including from small-scale traders, motorbike drivers and farmers, who often had to incur debts or sell their families' possessions to be freed.¹⁸ Those unable to pay the ransom were executed.

¹³ ADF ex-combatants, researchers, FARDC, UPDF, intelligence, researchers, diplomatic and UN sources.

¹⁴ ADF ex-combatants, collaborators and abductees, researchers, FARDC, UPDF, researchers, civil society and UN sources.

¹⁵ ADF also resorted to this tactic more generally, with other types of crops. Systematic ADF attacks against farmers, resulted in the regular disruption farming activities, which greatly affected the population.

¹⁶ ADF ex-combatants, collaborators and abductees, FARDC and UN sources.

¹⁷ Idem.

¹⁸ Idem.

Annex 6 (para. 17)**ADF organizational system in prison****Le système organisationnel des ADF en prison**

ADF has established organizational systems in prisons where ADF detainees are present, particularly in Kinshasa which is far away from the armed group's traditional area of influence. This system was designed to provide support to ADF detainees and continue exerting control over them, including in the event of their release.¹⁹

ADF ex-combatants and collaborators in prison explained to the Group that a leader and a deputy were usually designated by ADF overall leader Musa Baluku to communicate directly with the "bush". For the Makala prison in Kinshasa, Musa Kasereka, alias Kasereka Kanubo Jadot (see picture below), admitted to the Group being the designated ADF leader. In Ndolo, Musa Swabiro was cited as being the designated ADF leader and Alpha Kayonga his deputy,²⁰ although they denied this to the Group. Other responsibilities were assigned to ADF detainees, such as collecting money sent to prison by ADF leadership to support ADF detainees and distributing it upon instructions of the ADF leader of the prison. This assistance was intended to help detainees pay for their food, a better cell, a bed or legal expenses. For a few key ADF operatives, the support went as far as to help them bribe the penitentiary or judicial authorities to organize their release or escape (see annex 7).

There were regular power struggles and rivalries among ADF detainees, who searched to receive favors from ADF leadership in the bush. Moreover, not all ADF detainees received support, as a system was put in place to identify ADF combatants and collaborators who had either deserted or provided information on the armed group to the DRC authorities.

Upon their arrival in prison, ADF detainees were photographed, generally by the ADF leader of the prison who sent their pictures to Musa Baluku. If the picture was sent back with a cross, these ADF detainees were excluded from any support and were generally not allowed to integrate into the main group. An ADF ex-collaborator who had provided information on other ADF operatives, leading to their arrests, told the Group that he had seen his picture with a cross and was thus an outcast. This also created tensions among ADF detainees, who sometimes denounced one another to penitentiary authorities. For example, one of the outcast ADF detainees accused another of using a telephone, hoping that the phone would be confiscated. Several ADF detainees also mentioned that they had been forbidden by ADF leadership to speak with ADF ex-leader Benjamin Kisokeranio ([S/2022/479](#), paras. 43), detained in Makala.

This support to ADF detainees was made possible by the passive, and sometimes active facilitation or complicity of penitentiary and intelligence authorities. In general, in Makala, most detainees could bribe the guards to buy or let in telephones. While this was more difficult in Ndolo, which is a military prison with tighter controls, this facilitation or complicity also occurred on several occasions. An ex-combatant explained that one of the Ndolo guards used his wife to bring phones to the prison.

Several sources, including ADF detainees, reported that a religious leader²¹ in Kinshasa also provided support to ADF in prison, in coordination with ADF leadership. He also encouraged ADF detainees who were released in Kinshasa to then join his prayer place, which echoed concerns among the DRC authorities that an ADF Kinshasa cell was being established to conduct actions in the capital.

¹⁹ ADF ex-combatants, collaborators and abductees, FARDC, researchers, intelligence, security, diplomatic and UN sources.

²⁰ Alpha Kayonga was arrested in 2014. In September 2023 shortly before the jailbreak, he had been removed from Kangbaya prison in Beni to another facility in Beni, as he had already been identified as one ADF main focal point.

²¹ The Group is still confirming the identity of this individual.

Picture of Musa Kasereka



Picture provided to the Group by security sources

Annex 7 (para. 17)**Escape from detention of an ADF operative****Évasion de détention d'un membre des ADF**

Multiple sources, including ADF detainees, informed the Group about the escape from detention of a prominent ADF operative, Hamuli Balume Guylain, alias Kanane, alias Charles Saidi Sindani, in mid-2022.²² Hamuli was one of the rare ADF commanders with a Congolese nationality,²³ and he was a close advisor to Baluku.

Former ADF leader Benjamin Kisokeranio told the Group that Hamuli had killed Jamil Mukulu's children after they were sentenced to death by Baluku for refusing ADF's pledge of allegiance to Da'esh in 2017. As Benjamin Kisokeranio had also refused this allegiance to Da'esh and had fled the ADF camps to South Kivu where he was in hiding, Baluku sent Hamuli in pursuit to kill Kisokeranio. Hamuli however failed and returned to ADF's area of operations. Sources also mentioned that Hamuli was often outside of ADF camps, including outside DRC, collecting intelligence for ADF leadership and providing support with the recruitment of foreign recruits, possibly even Abwakasi.²⁴ Hamuli also supported with resupply, particularly in Bunia where he was arrested in March 2020. According to the military prosecutor who headed the investigations leading to Benjamin Kisokeranio's arrest, Hamuli revealed Kisokeranio's whereabouts and the fake name he was using in South Kivu. His revelations were instrumental in Benjamin Kisokeranio's arrest in January 2022.

After Hamuli was transferred to Makala in Kinshasa in 2020, ADF tried to liberate him.²⁵ ADF leadership sent him fake documents through a guard, but Hamuli refused to use them, possibly because at the time he did not wish to return to the bush. In 2022, Hamuli was removed from prison and placed in a safehouse by the FARDC and the *Conseil National de Sécurité* (CNS).²⁶ A few months later he escaped from the safehouse with the help of some FARDC elements and returned to the bush.²⁷ The news of his escape circulated briefly on social media, but went rather unnoticed (see picture below).

Sources close to ADF and ADF detainees reported that Amigo, who was also close to Hamuli, played an important role in both attempts to liberate Hamuli and used his connections at the highest levels of the FARDC to do so, possibly including sanctioned individual Muhindo Ak Ili Mundos (CDi.032), as reported by Hamuli to a source (see also [S/2015/797](#), para 93-97, [S/2016/466](#), para 198-204 about Mundos and ADF). This illustrates that over the years, ADF has established close links with several FARDC elements and DRC authorities, including prominent figures, most of whom had served in Beni territory.

Example of a post on social media regarding Hamuli's escape

²² FARDC, ADF detainees, sources close to ADF, researchers, intelligence, security and diplomatic sources.

²³ Most ADF commanders are Ugandans.

²⁴ FARDC, ADF detainees, sources close to ADF, researchers, intelligence and diplomatic sources.

²⁵ Sources close to ADF, ADF detainees, researchers, intelligence security and diplomatic sources.

²⁶ Idem.

²⁷ Idem.



Screenshot of a post on X (then Twitter), published in August 2022²⁸

²⁸ <https://twitter.com/KabMuanza/status/1558523001020219393> (last access by the Group on 18 April 2024)

Annex 8 (para. 18)**Recruitment and mobilization by ADF detainees****Recrutement et mobilisation par des détenus ADF**

Multiple sources, including ADF detainees, Congolese intelligence and judicial authorities, ex-collaborators and sources close to ADF stated that ADF detainees continued being active in detention. This included activities of recruitment and mobilization of combatants and collaborators.²⁹

For example, in late 2023, Kasereka Kiwera Je t'aime, alias Al Bashir (see picture 1 below), a trusted ADF collaborator arrested in 2020 in Butembo with ammunition intended for Amigo and Abwkasi, recruited two individuals, including a childhood friend. The two admitted to the Group that Al Bashir had recruited them from Makala prison and directed them to go to Uganda and then Kenya. DRC authorities suspected that their final destination was Da'esh in Somalia.

Similarly, Fabrice Kamulete ([S/2021/560](#) annex 19), another ADF collaborator, who was himself recruited in prison in Beni in 2020, was involved in the recruitment and mobilization of at least a dozen individuals (see picture 2 below).³⁰ For example, from Makala he directed several individuals who were personally involved in the Kasindi and Beni bombings in January 2023, including Mbusa Mupalalo (see S/2023/431 paras. 24-28), notably by linking these individuals and giving instructions on behalf of ADF leadership. Kamulete was also cited by several sources, including ADF detainees, for his involvement in a plot to attack the Pope during his planned visit in Kinshasa in early 2023, possibly in collaboration with a prominent religious figure based in Kinshasa (see annex 6).³¹ Kamulete also used his relatives, including his wives or cousins, to buy supplies in Beni territory for ADF such as food and medicine. He possessed more than two phones, using several to receive instructions from ADF leadership and conduct his activities.³² In early 2024, he was transferred from Makala to Ndolo for possession of these phones and due to his continued role as ADF operative from within Makala prison.

ADF detainees regularly received money from ADF leadership, specifically to carry out these recruitment and mobilization activities. The Group had already identified that thousands of dollars had been sent in late 2021 to phone numbers belonging to ADF operatives in Kangbaya and Makala prisons, including Hamuli (see annex 7), in the framework of a larger scheme involving a SIM card belonging to an ADF combatant ([S/2022/479](#), para 42).

This ADF activism was enabled either by the direct complicity of penitentiary authorities or either by lax enforcement of prison rules, including those prohibiting the use of personal phones or receiving money above the limit authorized per day to cover detainees' basic needs. ADF detainees told the Group that penitentiary authorities in Makala, Beni and Bunia, including at director level, benefitted from this general corruption.³³

²⁹ ADF detainees, ADF ex-collaborators, FARDC, penitentiary authorities, researchers, intelligence, diplomatic and UN sources. Although he denied to the Group any involvement in any illegal activity since his arrest.

³⁰ ADF detainees, ADF ex-collaborators, FARDC, researchers, intelligence and UN sources.

³¹ ADF detainees, FARDC, intelligence and diplomatic sources.

³² ADF detainees, ADF ex-collaborators, FARDC, penitentiary authorities.

³³ This corruption and laxism did not only apply to ADF, but to all detainees in general.

Picture 1 of Kasereka Kiwere Je t'aime, alias Al Bashir



Picture provided to the Group by security sources

Picture 2 of Fabrice Kamulete



Picture provided to the Group by security sources

Annex 9 (para. 21)**FPP/AP expansion to Ituri****Expansion des FPP/AP en Ituri**

In 2022, a group of FPP/AP combatants arrived in Ituri, mainly in Irumu territory along the RN4 Eringeti-Ndimbo. They had replied to the call of Nande businessmen, mostly from Butembo, who were seeking protection against ADF for their businesses in gold mines but also their interests in coffee and cocoa production and trade. Until then, the FPP/AP had rather operated in Lubero territory (North Kivu), as well as towards Petit Nord, as part of the Wazalendo coalition since the M23 crisis had also expanded south ([S/2023/990](#), annexes 19 and 24).

Sources revealed that FPP/AP combatants' arrival was facilitated by FARDC, which considered FPP/AP as one of the more structured and disciplined armed groups in North Kivu.³⁴ Their arrival in Ituri also corresponded with increased tensions over the growing abuses by FPP/AP in Lubero territory following the important security vacuum left by the massive redeployment of FARDC to Petit Nord, as well as a power struggle with other armed groups and organizations linked to the Nande community in Lubero, such as Kyaghanda Yira.³⁵

As such, FPP/AP first arrived to secure the areas where these businessmen had their businesses, but in 2023 FPP/AP started using its Wazalendo status to legitimize its presence and expansion to other areas of Ituri, including to get closer to other mining areas.³⁶ FPP/AP claimed to be conducting regular patrols to protect civilians against ADF, however they only clashed a few times with ADF, for example in mid-2023 around Libanda Forest, close to Idohu and Biakato. In Irumu territory, FPP/AP conducted joint patrols with FARDC. However, in Mambasa territory, relations with FARDC were more tense, as FPP/AP accused FARDC of not protecting the population. Yet, sources explained that tensions with FARDC and FPP/AP in Mambasa were rather linked to control over mining sites.³⁷ Consequently, FPP/AP clashed with FARDC on several occasions in December 2023 and January 2024 in Mambasa territory (see annex 10).

At time of drafting, FPP/AP's presence was divided into several sectors in Mambasa and Irumu territories. Sources reported that the total of combatants was between 300 to 1,000, as they had conducted recruitment campaigns amongst the youth, mainly in Lubero territory, using the appeal of the Wazalendo status.³⁸ Under the overall leadership of Kasanyo Kabidon ([S/2023/990](#), annexes 19 and 24), still based in North Kivu, these combatants were notably led by Commander Muhindo "Guépard" for Irumu territory, whose headquarters was located around Mambelenga and Ndimbo, on the RN4 Eringeti-Komanda road.

³⁴ FARDC, intelligence, researchers and civil society sources.

³⁵ Researchers, civil society and UN sources.

³⁶ FARDC, intelligence, researchers and civil society and UN sources.

³⁷ Researchers, civil society and UN sources.

³⁸ FARDC, researchers, civil society and UN sources.

Annex 10 (para. 21)**Agreement between FPP/AP and Chini ya tuna to collaborate with FARDC to track down ADF****Accord entre FPP/AP et Chini ya tuna pour collaborer avec les FARDC contre les ADF**

On 21 January 2024, during a meeting between Lesse and Nande community leaders held in Komanda under the auspices of FARDC and MONUSCO, to advance social cohesion and peace efforts, FPP/AP and Chini Ya Tuna agreed to collaborate with FARDC to track down ADF. The meeting followed clashes between FPP/AP and FARDC in December 2023 and January 2024 (see annex 9), and between FPP/AP and Chini Ya Tuna over the limits of their area of operations.³⁹ The clashes between FPP/AP and Chini Ya Tuna had exacerbated already existing tensions between the Nande and Lesse communities, mainly represented in these two armed groups respectively.⁴⁰

In a joint communiqué (see below) read by the FPP/AP Commander in Ituri, Muhindo Guépard, FPP/AP and Chini Ya Tuna committed to collaborate with “the defense and security forces” to track down ADF. Although they also committed to facilitate free movement of persons and goods and to adhere to the *Programme de Démobilisation, Désarmement, Réinsertion Communautaire et Stabilisation* (PDDRCS), multiple sources stated that this was merely for communication purposes, and that the key objective of both groups was to officialize their status and activities in Ituri.⁴¹

³⁹ FARDC, intelligence, researchers, civil society and UN sources.

⁴⁰ Idem.

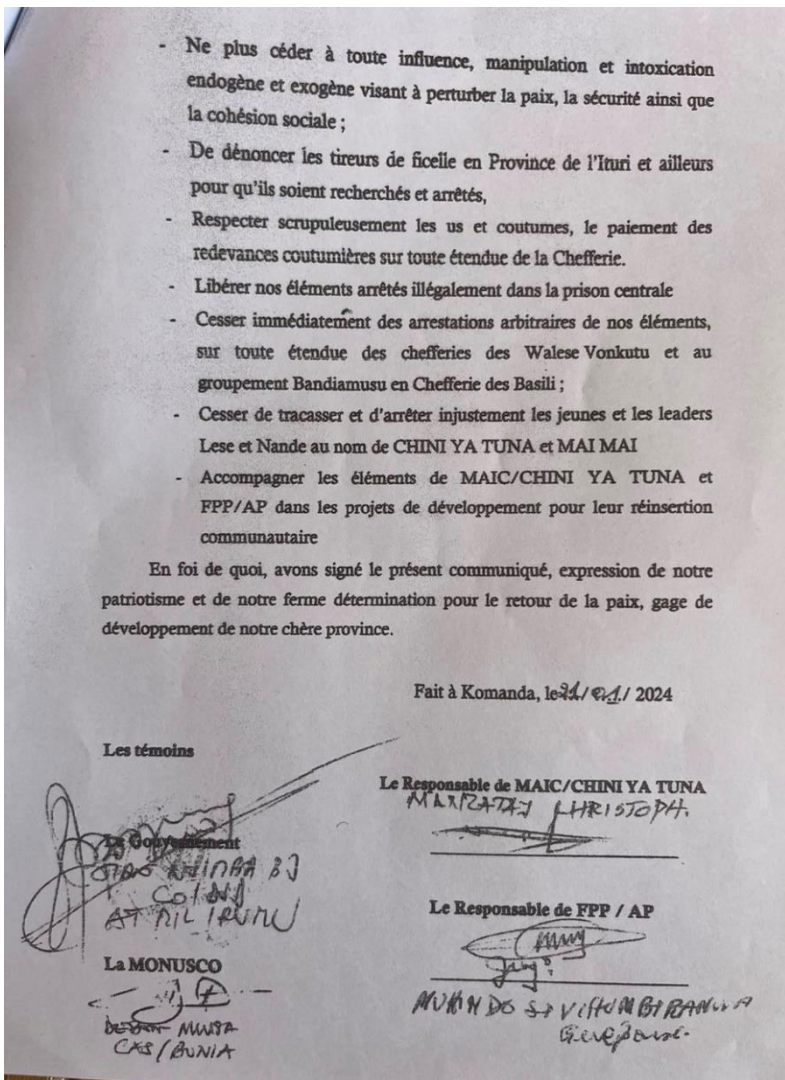
⁴¹ Researchers, civil society and UN sources.

COMMUNIQUE CONJOINT A L'ISSU DU DIALOGUE ENTRE LES GROUPES ARMES, « MOUVEMENT D'AUTO-DEFENSE POUR L'INTEGRITE DU CONGO / ALLIANCE CHINI YA TUNA (MAIC) ET FPP/AP

Pour concrétiser les efforts de pacification et cohésion sociale entre les communautés dans le Territoire d'Irumu, il a été organisé par l'Administrateur Militaire dudit Territoire avec la facilitation de la MONUSCO Affaires Civiles, en présence du Chef d'antenne PDDRCS Irumu, une rencontre de pacification entre le mouvement d'autodéfense pour l'intégrité du Congo MAIC en sigle, Alliance Chini ya Tuna et le Groupe Armé FPP/AP en date du 19 au 20 Janvier 2024 à Komanda.

Cette rencontre a abouti aux signatures des actes d'engagements unilatéraux signés par les groupes armés MAIC/CHINI YA TUNA et FPP/AP, dont nous déplorons les actes de barbaries perpétrés dans la Chefferie des Walese Vonkutu et une partie de la Chefferie des Basili, demandons pardon au Gouvernement et à la MONUSCO pour les actes commis dans lesdites chefferies pour les dégâts collatéraux causés par nos actes, pardon aux communautés affectées et nous nous engageons à ce qui suit :

- De collaborer avec les forces de défense de sécurité pour traquer le groupé étranger ADF et ses supplétifs ;
- De restaurer l'autorité de l'Etat sur toute l'étendue de la Chefferie des W/Vonkutu ;
- D'accompagner le retour de déplacés et de cultivateurs dans leurs milieux respectifs,
- Faciliter la libre circulation des personnes et leurs biens sur toute étendue de notre zone de contrôle ;
- Ne pas communautariser les conflits et les violences,
- Ne pas entraver le retour des Chefs des Chefferies, Groupements et les villages pour ceux dont les activités ont entravé le bon fonctionnement de l'administration,
- Matérialiser notre adhésion au PDDRCS
- Ne pas interférer ou entraver les activités des humanitaires dans notre zone de contrôle,

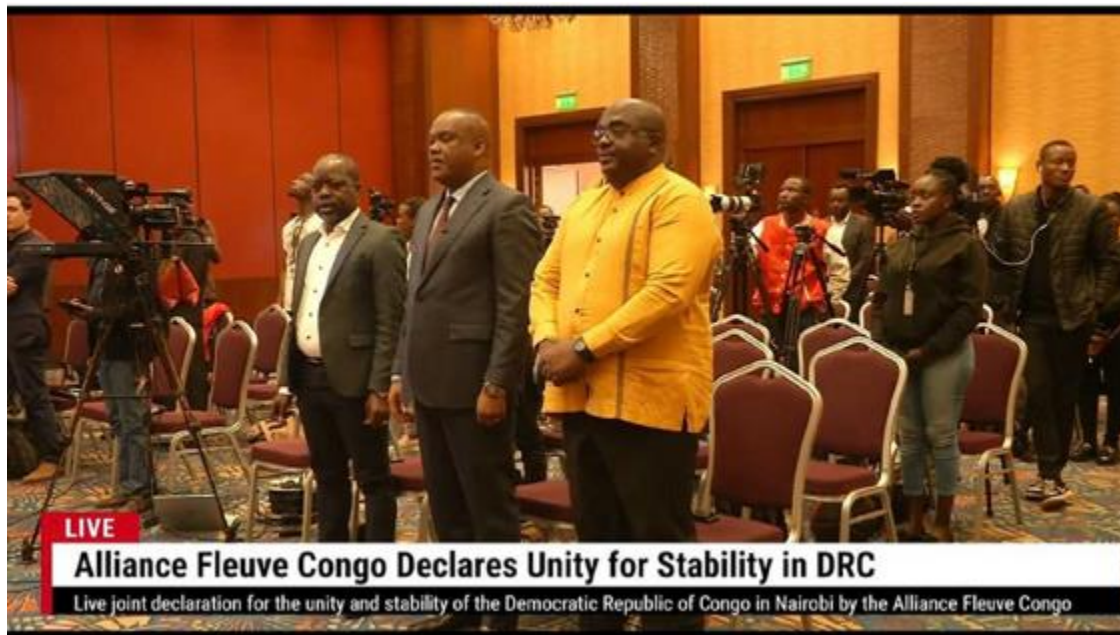


Communiqué provided to the Group by security sources

Annex 11 (para.23)

Transcript of the declaration of Corneille Nangaa at a press conference held in Nairobi on 15 December 2023

Transcrit de la déclaration de Corneille Nangaa à la conférence de presse tenue à Nairobi le 15 décembre 2023



<https://www.youtube.com/watch?v=l-UKfwrc2II>

Transcript of statement made by Corneille Nangaa in the video above [from 00:00 to 06:41], representing a summary of the declaration made in French [see the French text of the declaration below the English summary]:

“CALL FOR NATIONAL UNITY FOR THE STABILITY OF THE DRC

Driven by our desire to save our country, our nation in danger and to restore the dignity of the people of Congo, as a state,
Driven by the desire, moved by the will to live together in DRC, to unite, to achieve national cohesion, and to finally end insecurity, widespread killing and massacre of citizens, genocide ideology,
Driven by negative forces aligned with the regime in Kinshasa which has resulted in internal displacement of people and turning citizens into refugees particularly in the Eastern part of Congo
Convinced that the responsibility to save the state as well as the well-being of the DRC depend on Congolese themselves and not none other,
Noting that insecurity and instability because of weakening if not the absence of the state has lasted for more than 3 decades, without any lasting solutions.
Considering the deficit of governance in national institutions particularly in Kinshasa and their inability to restore the authority of the state throughout the whole territory and to reassure our citizens.
Whereas, it is unfortunately established that the regime of Tshisekedi has opted for a mode of governance characterized by tribalism and as well as corruption, embezzlement of the funds, public funds, dispossession of public and private properties, discrimination, lies, tribalism, witch-hunt, the exploitation of public services and institutions, tribalization and manipulation of justice, arbitrary arrests, assassinations, economic crimes, linguistic discrimination and exclusion and divisions and impoverishment of population,
Given that Kinshasa regime has deliberately chosen to outsource national security, by using war as a business, undermining the armed forces of the Democratic Republic of the Congo, for the benefits of foreign mercenaries and other negative forces, which preyed upon the eastern part of the country, sowing death, and desolation,

Given that the government of the DRC, violates the constitution, the laws of the republic and all international treaties, acceded by our country,

Being all witnesses to the hijacking of the electoral process at all levels by the same government and its decision to carry out an electoral coup d'état,

Based ourselves on article 64 of our constitution, we launch on this day a call for unity for all political, social, and military forces of the Democratic Republic of the Congo,

We have indeed decided to work together to establish a structured force for the rebuilding of the state and the resolve the root causes of the recurring conflicts so as to ensure lasting peace in the Democratic Republic of Congo,

Our platform is to be known as Alliance fleuve Congo (AFC), in French, we can say it in English, Congo River Alliance,

Our call is specifically aimed at the following groups: political parties, civil society organisations and platforms, resistance forces and community self-defense forces, armed forces of the Democratic Republic of Congo, community, and diaspora youth.

To all patriots sharing this urgent need to change, you are invited to join us without delay to save our country and to establish cohesive governance in unity and peace, in rebuilding of our state that resist to its seven responsibilities on the basis of the law, and which assure safety of all.

We are so many components already, armed groups, political groups, political parties, we have already about 70 political groups have already joined us, we have political personalities, civil society organizations and the diaspora leaders.

Thank you very much!"

Statement in French:

APPEL À L'UNITÉ NATIONALE POUR LA STABILITÉ DE LA RÉPUBLIQUE DÉMOCRATIQUE DU CONGO

Mus par la volonté de sauver la Nation en danger et de restaurer la dignité du Congolais et de la République Démocratique du Congo en tant qu'Etat;

Animés par la volonté du vivre-ensemble, de l'unité, de la cohésion nationale et d'en finir définitivement avec l'insécurité généralisée, les tueries et massacres massifs des populations ainsi que les idéologies génocidaires véhiculées par les forces négatives alliées au régime de Kinshasa avec comme conséquences des déplacés internes et des refugies congolais, principalement dans la partie orientale du pays;

Convaincus que le salut et le bien-être du Congo ne dépendent que des Congolais eux-mêmes et pas d'autres;

Considérant que la problématique de l'insécurité et de l'instabilité consécutives à la faiblesse sinon à l'absence de l'État dure depuis plus de 3 décennies sans aucune solution durable;

Considérant le déficit de gouvernance des institutions nationales et leur incapacité à restaurer l'autorité de l'Etat sur l'ensemble du territoire national et à rassurer nos populations;

Attendu qu'il est malheureusement établi que le régime actuel de Kinshasa a instauré plutôt en mode de gouvernance, des antivaleurs telles que la corruption, le détournement des deniers publics, la spoliation des biens publics et privés, le tribalisme, la discrimination, le mensonge, la chasse à l'homme, l'instrumentalisation des institutions et des services d'État, la manipulation tribalisée de la justice, les arrestations arbitraires, les assassinats, les crimes économiques, la glottophobie et l'exclusion ainsi que la division et l'appauvrissement de la population;

Vu que le régime de Kinshasa a fait le choix délibéré de sous-traiter la Sécurité nationale en utilisant la guerre comme un fonds de commerce, sacrifiant les Forces Armées de la République Démocratique du Congo (FARDC) au profit des mercenaires étrangers et des Forces négatives qui écumant l'Est du pays y semant mort et désolation;

Etant donné que le gouvernement de la RDC viole délibérément la Constitution, les lois de la République et tous les traités internationaux conclus par notre pays;

Etant tous témoins de la confiscation du processus électoral en cours par le même régime à tous les niveaux et sa décision d'opérer un coup d'état électoral;

Nous basant sur l'article 64 de la Constitution de la République Démocratique du Congo:

- LANÇONS CE JOUR UN APPEL À L'UNION DE TOUTES LES FORCES POLITIQUES, SOCIALES ET MILITAIRES DE LA RÉPUBLIQUE DÉMOCRATIQUE DU CONGO ;
- DÉCIDONS D'ŒUVRER ENSEMBLE POUR LA MISE EN PLACE D'UNE DYNAMIQUE STRUCTURÉE POUR LA REFONDATION DE L'ÉTAT ET LA RÉOLUTION DES CAUSES PROFONDES DES CONFLITS RÉCURRENTS POUR LE RETOUR DE LA PAIX DÉFINITIVE EN RÉPUBLIQUE DÉMOCRATIQUE DU CONGO.
- NOTRE PLATEFORME EST DÉNOMMÉE "ALLIANCE FLEUVE CONGO" en abrégée AFC.

Notre appel s'adresse précisément aux groupes et sensibilités ci-après :

- Partis politiques;
- Plateformes de la Société Civile;
- Forces de résistance et d'autodéfense populaire;
- Forces Armées de la République Démocratique du Congo;
- Leaders communautaires et de la Diaspora;

Tous les patriotes partageant cette urgence de changement sont invités à nous rejoindre sans délai pour sauver notre pays et y instaurer une gouvernance cohésive dans l'unité et la paix, la refondation d'un État qui assume ses responsabilités régaliennes fondées sur la loi et qui assure la sécurité de tous.

Fait à Nairobi, ce vendredi 15 décembre 2023.

JE VOUS REMERCIE."

Annex 12 (para. 25)**Countries visited by Corneille Nangaa in connection with the launching AFC****Les pays visités par Corneille Nangaa en connection avec le lancement de l'AFC**

Prior to launching the AFC, Corneille Nangaa visited several countries to garner support, harness resources and mobilise followers among Congolese nationals living in the diaspora, political actors, prominent individuals and armed groups.

Multiple sources informed the Group that a few months before the creation of the AFC, Nangaa travelled to Belgium, Egypt, Ghana, Italy, Kenya, Uganda, the United Arab Emirates and South Africa.⁴²

In Belgium, where he travelled from mid- to late 2023, Corneille Nangaa reportedly organised preparatory meetings for the creation of AFC during which he reportedly engaged with Eric Nkuba and Jean-Jacques Mamba,⁴³ as well as other high-profile individuals of the Hema community.

In Kampala, Uganda, where he travelled to between May 2023 and March 2024, Corneille Nangaa also conducted a series of meetings with other individuals of his movement, M23 cadres and other armed groups active in the DRC. Ugandan authorities confirmed Nangaa's first recorded entry into Uganda on 7 May 2023, arriving from Kinshasa. His last departure recorded by Ugandan authorities was on 2 February 2024, departing to Brussels via Nairobi.

⁴² The Group sent requests for information to some of these countries and is still waiting for the replies, except for Uganda which replied in April 2024.

⁴³ Both individuals reportedly facilitated the travel to Kinshasa of three M23 emissaires in 2022 ([S/2022/479, para. 69](#)).

Annex 13 (para.25)

Diplomatic tensions between Kenya and the DRC following the launching of the AFC

Tensions diplomatiques entre le Kenya et l'AFC suite au lancement de l'AFC.

The launching of AFC in Kenya soured the diplomatic relations between Kenya and the DRC. The Congolese government raised concerns over some Kenyan authorities' role in and alleged support of the AFC's launching. Congolese authorities also summoned the Kenyan Ambassador in Kinshasa and recalled the DRC's representative in Nairobi to protest the creation of the new coalition in Nairobi.

At the same time, AFC leaders engaged in a diplomatic offensive, sending letters to the DRC government's partners to warn against support to the full deployment of the Southern African Development Community Mission in the DRC (see para. 88) or to mobilise international support for the AFC. Diplomatic sources informed the Group about the presence of AFC delegates, notably Corneille Nangaa, sometimes alongside M23 leaders, including Lawrence Kanyuka, in neighbouring countries requesting meetings and soliciting support (see para. 59).

Annex 14 (para. 26)**Armed groups initially cited as members of the AFC and their denials****Les groupes armés initialement cités comme membres de l'AFC et leurs démentis**

Following the press conference announcing the launch of the AFC, the names of the armed groups and other personalities composing the AFC widely circulated on social media (see below). Some armed groups cited in this message denied being part of the AFC (see below).

AFC's initial declaration was soon deleted from the web.

Screenshot of AFC initial message with the the components of the politico-military party provided to the Group:

COMPOSANTE DES MOUVEMENTS
POLITICO-MILITAIRES

a. Au Nord-Kivu

1. PARECO du Général LAFONTAINE ;
2. M23 du Président BERTRAND
BISIMWA ;
3. KYAHANDA du Général KA-BIDON ;

b. Au Sud-Kivu

1. Le FPDC du Commandant
MUTETEZI ;
2. Le TWIRANEHO du Docteur
FREDDY KANIKI ;
3. Mouvement ARTICLE 64.

c. En Ituri

1. Le FRPI
2. CHINI YA KILIMA ;
3. ZAÏRE

II. COMPOSANTES POLITIQUES QUI ONT ADHÉRÉ À
L'INITIATIVE

a. Formations politiques : 15 Partis politiques se sont manifestés.
Nous prenons soin de ne pas les citer pour des raisons de sécurité
;

b. Acteurs politiques : 267 Personnalités.

III. COMPOSANTES DE LA SOCIÉTÉ CIVILE

a. Organisations citoyennes: 23 Mouvements citoyens ;
b. Structures de la Société Civile: 41.

JE VOUS REMERCIE.

Screenshot of AFC initial message provided to the Group by several sources and circulating widely on social media

Communiqués of armed groups denying their support to or affiliation with AFC:



COMMUNIQUE DE PRESSE N°05/VDP-RDC/2023

Nous, Volontaires pour la Défense de la Patrie VDP en sigle, réunis à KASHUGA ce jour ;

Ayant suivi avec attention la déclaration anti patrie faite à Nairobi en date du 15 Décembre 2023 par monsieur Corneille NANGAA qui, en perte de vitesse et nostalgique du pouvoir par tous les moyens y compris la forfaiture, commence à monter des stratagèmes voulant faire croire à l'opinion tant nationale qu'internationale de son plan diabolique et contribuer à la balkanisation de la RDC, notre pays.

Cela étant dit, nous, VDP, portons à la connaissance de l'opinion publique ce qui suit :

1. Aucun VDP ni mouvement des patriotes résistants n'est, ni de près ni de loin avec Corneille NANGAA, désormais bourreau au peuple congolais ;
2. Dénouons avec véhémence ce énième plan de balkanisation de notre pays par les ennemis de la République en quête des intérêts partisans ou égoïstes avec des motifs éhontés et infondés.
3. Condamnons cette énième déstabilisation de notre cher pays, à des fins inavoués et aux conséquences incalculables après que plusieurs autres tentatives précédentes aient échouées faute de l'adhésion du peuple congolais.
4. Considérons l'alliance fleuve Congo NANGAA – M23/RDF comme de contre nature, de terroriste, de sanguinaire et nous nous engageons à la combattre avec la dernière énergie de la même manière que nous combattons le mouvement terroriste M23/RDF.
5. Demandons à la population congolaise longtemps meurtrie et clochardisée par le M23/RDF, auteur de tant d'exactions entre autres : des assassinats, crime de génocide, pillages, viols, démantèlement du pouvoir coutumier, déplacements massifs des populations, etc, à rester vigilante, à ne pas céder à la manipulation ou tomber dans les pièges de l'ennemi et l'invitons à signaler toute présence ennemi sur le territoire congolais.
6. Mettons en garde Monsieur Corneille NANGAA, ses acolytes, parrains et tout autre aventurier qui tenterait d'adhérer à son plan macabre et les rendons responsables des conséquences tragiques qui en découleront.
7. Rappelons à l'opinion publique que la République Démocratique du Congo reste et restera un et indivisible en dépit des complots dont elle est victime.

Ne jamais trahir le Congo.

La patrie ou la mort.

Fait à KASHUGA, le 18 Décembre 2023


Guilhem **BITMIRAY MWISSA**
Lt. Gén
Commandant des V.D.P



DECLARATION CONJOINTE DE L'ALLIANCE DES FORCES PATRIOTIQUES POUR LA DEFENSE DU CONGO PORTANT DENONCIATION DE TENTATIVE DE MANIPULATION DE GROUPES ARMÉS DE L'ITURI

Les membres de l'Alliance des Forces Patriotiques pour la Défense du Congo, A.F.P.D.C, constitué de différents groupes armés de l'Ituri dont la FRPI, URDPC-CODECO, FPIC, ZAIRE, MAI-MAI SIMBA-FDDP, URC-FPC, MAPI, réunis à la date ci-dessous en Ituri, pour consolider leur unité dans l'objectif de soutenir les efforts de pacification de l'Ituri tel que proné par le chef de l'Etat;

Ayant été surpris de voir circuler sur les réseaux sociaux des textes politiques reprenant sans consensus les noms de certains groupes armés de l'Ituri dont FRPI, ZAIRE et TCHINI YA KILIMA, pourtant engagés au sein de l'A.F.P.D.C, pour promouvoir la Force-Wazalendu-Reserviste de l'Ituri;

Dans le souci majeur de prouver au monde entier sa détermination pout défendre le territoire national congolais en union avec la FARDC;

Déclare unanimement ce qui suit:

1. L'Alliance des Forces Patriotiques pour la Défense du Congo, A.F.P.D.C, en sigle met en garde tout politicien congolais avide d'argent et de pouvoir qui vise à intoxiquer et surtout à détruire le processus de pacification de l'Ituri en cours, en faisant campagne médiatique mensongère et diffamatoire au nom des groupes armés de l'Ituri.
2. Dément farouchement toute implication et toute participation des groupes armés de l'Ituri composant l'A.F.P.D.C, aux alliances traitres conclues à Nairobi entre les M 23 et un nouveau mouvement politico militaire attribué au leadership de Corneille NANGA.
3. L'A.F.P.D.C réitère son engagement pour la Défense décisive de l'intégrité territoriale du Congo, en franche collaboration avec les Forces Armés de la République Démocratique du Congo, FARDC en sigle, pour faire preuve de son adhésion au sein des Forces réservistes Congolaises.
4. L'A.F.P.D.C attend juste voir la mise en place de l'équipe de la Coordination provinciale des Forces réservistes Congolaises en Ituri, pour actualiser son engagement.

Ou le salut de notre RDC ou la mort.

Pour l'A.F.P.D.C
Le Porte-parole

Above documents received from armed group sources

Annex 15 (para.27)

Appointment of AFC leaders

Nomination des dirigeants de l'AFC



COMMUNIQUÉ OFFICIEL DU 22 FÉVRIER 2024

GRANDE REUNION DE COMMANDEMENT POLITICO-MILITAIRE, DE STRUCTURATION, D'ORIENTATION ET DE MORALISATION DES HAUTS CADRES DE L'ALLIANCE FLEUVE CONGO (AFC) A TCHANZU CE JEUDI 22 FEVRIER 2024.

1. Sous la direction de son Coordonnateur politique en la personne de Monsieur Corneille NANGAA YOBELUO, l'Alliance Fleuve Congo (AFC) a tenu sa réunion de commandement, de structuration, d'orientation et de moralisation de son leadership ce jeudi 22 février 2024 à Tchanzu, dans le territoire de Rutshuru, province du Nord-Kivu.
2. A cette occasion, l'AFC a levé l'option de rendre publics ses Actes fondateurs, notamment l'Acte Constitutif et son organigramme.
3. Outre son Coordonnateur politique en la personne de Monsieur Corneille NANGAA YOBELUO et son Coordonnateur Militaire en la personne du Général-Major SULTANI MAKENGA, deux Coordonnateurs Adjoints ont été investis : L'un chargé des questions politiques et diplomatiques en la personne de Monsieur BERTRAND BISIMWA et l'autre chargé de l'économie, finances et développement.
4. Au regard du nombre de plus en plus croissant d'adhérents en RDC et à travers le monde, l'AFC a institué et installé un Secrétariat Permanent co-animé par deux Secrétaires. Monsieur BENJAMIN MBONIMPA en assure la supervision. Le Secrétariat Permanent supervisera cinq (5) Commissions Permanentes ci-après :
 - Commission Politique et Diplomatique ;
 - Commission Economique, Financière et de Développement ;
 - Commission de Mobilisation, Formation idéologique et Implantation dont le point focal est Monsieur Adam CHALWE MUNKUTU ;
 - Commission Juridique, Sociale et de Droit de l'homme ;
 - Commission de Communication dont Monsieur Lawrence KANYUKA est le point focal.
5. Au regard des urgences humanitaires de l'heure et l'exacerbation des discours de haine ethnique, de division et de discrimination, l'AFC a décidé de la mise en place d'une commission ad hoc chargée de préparer un Plan de Pacification, de Réconciliation Nationale et convivialité en vue de la prise en charge du retour de tous les déplacés internes et des réfugiés congolais dans leurs milieux respectifs.
6. Avant de lever de la séance, le Coordonnateur de l'AFC, Monsieur Corneille NANGAA YOBELUO a tenu une causerie morale à l'attention des officiers membres de la Coordination militaire de l'Alliance, en présence du Coordonnateur Adjoint en charge des questions politiques et diplomatiques. Un tour d'horizon de la situation sécuritaire de l'espace AFC a été fait.



Fait à Tchanzu, le 22 février 2024.

Pour l'Alliance Fleuve Congo (AFC)

LAWRENCE KANYUKA

Point-Focal Communication



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Téléphone : +243 899 411 093

Communique posted on the X 9formerly twitter's page of AFC
<https://x.com/afcongo/status/1760775346851385754?s=48&t=oT9StWa0RjcInyuvFVEygQ>

Annex 16 (para.28)**AFC delegates touring regional states and M23-controlled areas since late December 2023****Les délégués de l'AFC visitent les États régionaux et les zones contrôlées par le M23 depuis fin décembre 2023.**

According to multiple sources, Nangaa returned to Uganda in early March 2024. On this occasion, Corneille Nangaa held meetings with representatives of the Zaïre armed group from Ituri, including Zaire leader Logo Marine (see para. 152). Nangaa also met with an individual who is known to have been associated not only with key figures in the former M23 rebellion in 2012, but also with individuals from former RCD-KML⁴⁴ networks and with Mbusa Nyamwisi (see also [S/2013/433](#) paras. 62-71 and [S/2016/466](#), para 193).

Corneille Nangaa was also seen alongside M23's political leader Bertrand Bisimwa, M23 "general" Sultani Makenga and M23 "colonel" Nzenze in Rutshuru, in late December 2023 (see picture below).



From left to right: Corneille Nangaa (in blue), unknown, M23 "general" Sultani Makenga, Bertrand Bisimwa, Eric Nkuba and M23 "colonel" Nzenze

Picture provided to the Group by Erik Nkuba

⁴⁴ RCD-Kisangani Liberation Movement

Annex 17 (para. 28)

AFC rally in Kiwanja, Rutshuru territory on 28 March 2024

La réunion AFC à Kiwanja, en territoire de Rutshuru le 28 mars 2024

On 28 March 2024, AFC held its first rally in Kiwanja, Rutshuru territory. At that meeting, Corneille Nangaa, threatened to conquer Goma and Kinshasa. This declaration hinted at the AFC-M23 objective to destabilize and undermine the Government of the DRC. On a video shot⁴⁵ during this rally, Nangaa appears claiming:

“We will conquer Goma and Kinshasa.”

“Nous allons prendre Goma et marcher sur Kinshasa”



Pictures received from sources linked to M23

⁴⁵ On file with the Secretariat.

Annex 18 (para. 28)

Prominent political figures joining AFC

D'éminentes personnalités politiques rejoignent l'AFC

At the rally held in Kiwanja on 30 March 2024, AFC leader Nangaa appeared alongside prominent political figures including Adam Chalwe, Yannick Tshisola and Henry Maggie Walifetu, of the former DRC ruling party, People's Party for Reconstruction and Democracy (PPRD).



From left to right: Adam Chalwe, Yannick Tshisola and Henry Maggie Walifetu, all members of former ruling party, Parti du Peuple pour la Reconstruction et la Démocratie (PPRD) in Kiwanja on 30 March 2024.

Picture provided to the Group by Civil Society

Annex 19 (para. 28)

Other political actors joining AFC: Jean-Jacques Mamba Kamamba defecting MLC and assuming official AFC membership

D'autres acteurs politiques rejoignent l'AFC : Jean-Jacques Mamba Kamamba quitte le MLC et devient officiellement membre de l'AFC

On 26 February 2024, Jean-Jacques Mamba Kamamba, a former member of the *Movement pour la liberation du Congo* (MLC) who was a candidate in the December 2023 legislative elections, announced his adhesion to AFC during a press conference that he organized in Brussels.

Lawrence Kanyuka, in an official communiqué on 26 February 2024, announced that Jean-Jacques Mamba Kamamba officially adhered to AFC as “high cadre of the Alliance (AFC)”. AFC leadership issued a welcoming letter to that effect (see below).



COMMUNIQUÉ OFFICIEL DU 26 FÉVRIER 2024

1. En ce jour du lundi, 26/02/2024, L'Alliance Fleuve Congo (AFC) a pris acte de l'adhésion officielle du camarade JEAN-JACQUES MAMBA KARAMBA en qualité de Haut Cadre de l'Alliance et lui présente ses vives et sincères félicitations.
2. Dans sa réaction officielle et au nom du Coordonnateur CORNEILLE NANGAA, le Coordonnateur Adjoint de l'AFC chargé des questions politiques et diplomatiques, Monsieur BERTRAND BISIMWA, s'est exprimé en ces termes, nous citons : « Nos chaleureuses félicitations à notre distingué compatriote Honorable Jean-Jacques MAMBA KARAMBA pour avoir rejoint notre combat pour la refondation de l'État congolais et la résolution des causes profondes des conflits dans l'Est du pays. Nous lui souhaitons la bienvenue parmi nous au sein de l'Alliance Fleuve Congo », fin de citation.
3. L'Alliance Fleuve Congo (AFC) renouvelle son appel à toute la population congolaise afin qu'elle se joigne à la révolution sans distinction d'ethnies ni de tribus.
4. L'AFC rassure le Peuple Congolais que son combat est une révolution constitutionnelle (Article 64) qui tient à libérer le pays de toutes ses infirmités qui ravagent sa gouvernance démocratique et qui sont régulièrement déplorées par la population congolaise à tous les niveaux. Les violations incessantes de la Constitution font le lit de l'instabilité démocratique et de l'insécurité généralisée dont les causes profondément récurrentes écumant l'Est du pays à travers des conflits de tous ordres avec leur lot de déplacés et réfugiés.



Fait à Rutshuru, le 26 février 2024.

Pour l'Alliance Fleuve Congo (AFC)

LAWRENCE KANYUKA

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Communiqué published on 26 February 2024

<https://x.com/lawrencekanyuka/status/1776589059806105692?s=48&t=oT9StWa0RjcInyuvFVEygQ>

Annex 20 (para. 30)**Update on regional initiatives****Mise à jour sur les initiatives régionales**

Regional initiatives to improve peace and security in the region intensified from February 2024 onwards (see also [S/2023/431](#), annex 16 and [S/2022/967](#), annex 22).

Initiatives such as the African Union Heads of State summit in Addis Ababa on 17 February 2024 and the Heads of State meeting in Angola on 27 February, organized by AU mediator and President of Angola President Joao Lourenco, aimed at relaunching the peace process and initiating a direct dialogue between the governments of the DRC and Rwanda.

A ministerial meeting on the security and peace situation in eastern DRC was held in Luanda on 21 March 2024 under the auspices of the African Union. The meeting was facilitated by the Minister of Foreign Affairs of the Republic of Angola and attended by delegations from the DRC and Rwanda, led by their respective Ministers of Foreign Affairs. According to the minutes of the meeting obtained by the Group (see below), participants proposed concrete commitments to the heads of state of the DRC and Rwanda, namely that:

- (1) the Luanda and Nairobi Processes remain the main reference instruments for achieving peace and security in the eastern part of the DRC;
- (2) cessation of hostilities, including a supervised ceasefire, accompanied by a process of disengagement of forces;
- (3) the DRC delegation committed to present a plan to neutralize the FDLR accompanied by a program of action to be presented at the next ministerial meeting;
- (4) following the implementation of this plan to neutralize the FDLR, the Rwandan delegation committed to review the measures and arrangement adopted to ensure its defense and security;
- (5) the adoption and reinforcement of confidence-building measures between the parties, including
 - (a) the joint information exchange cell created as part of the American initiative. Participants proposed to the Heads of State the integration of Angola in this cell;
 - (b) a mutual security guarantee mechanism between the DRC and Rwanda;
 - (c) the establishment of a climate of appeasement avoiding, in particular, hate speech and verbal attacks between the two parties;
- (6) pursue discussions with a view to finding a peaceful and lasting solution to the challenges of peace and security in the eastern part of the DRC;
- (7) the holding in Luanda of a second ministerial meeting in preparation for the next summit of heads of state to be held in Luanda, Angola, in April 2024.

At the ministerial meeting, the two parties also noted the following dissents over the cessation of hostilities:

- (1) For the DRC delegation, the disengagement of forces implies the withdrawal of RDF from DRC territory;
- (2) For the Rwandan delegation, the cessation of hostilities implies a supervised ceasefire between the FARDC and the M23, accompanied by a process of disengagement of forces.

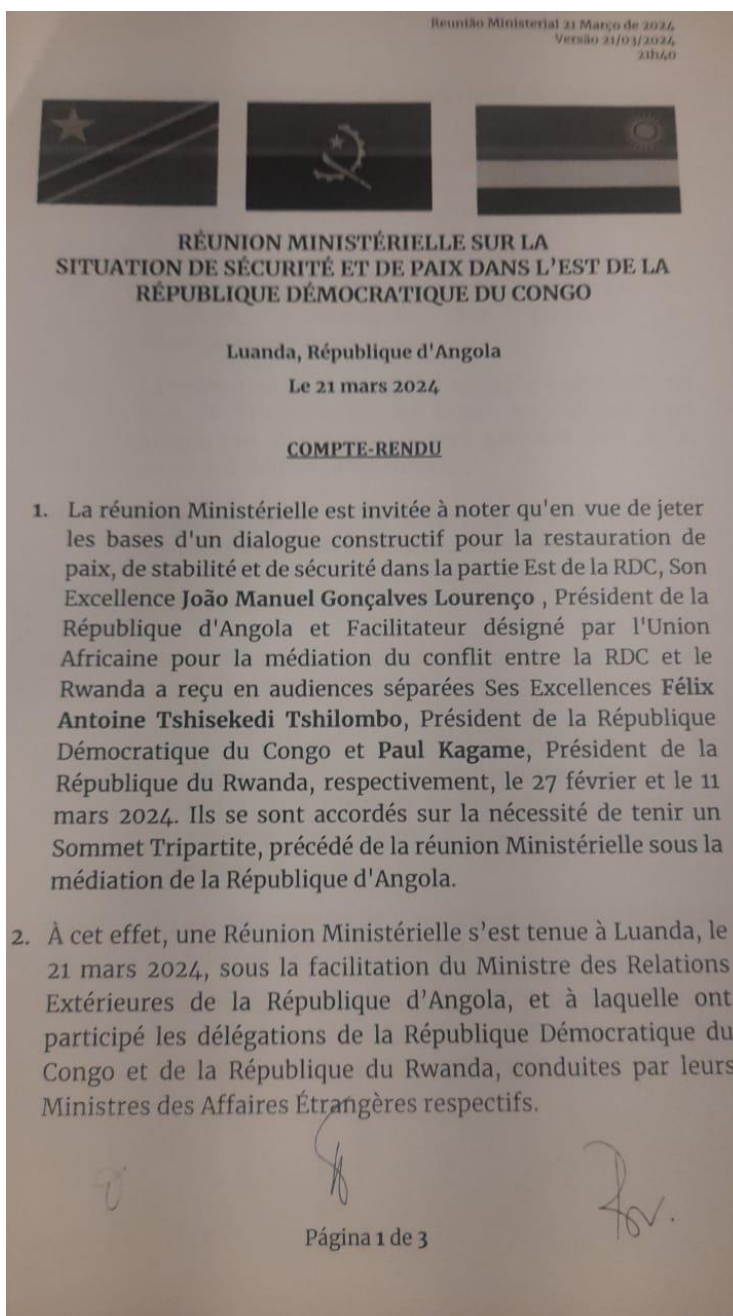
It is noteworthy that the minutes of the ministerial meeting refer to “the two parties”, i.e., Rwanda and the DRC, sitting at the negotiation table, discussing the “cessation of hostilities”, “a supervised ceasefire” and the “disengagement of

forces". This asserts Rwanda's role as a key party to the conflict. The Group also notes that the ability to negotiate and implement a ceasefire demonstrates the Rwandan Government's effective authority and control over the troops present on DRC territory, engaged in combat (see also annex 21).

At the time of drafting, the Presidents of the DRC and Rwanda had expressed their readiness to meet, albeit under certain conditions.

The Group notes that at time of drafting, there existed a real risk of further escalation of the conflict into a wider regional conflict involving Rwanda, Burundi, Uganda and the DRC, as documented in the report.

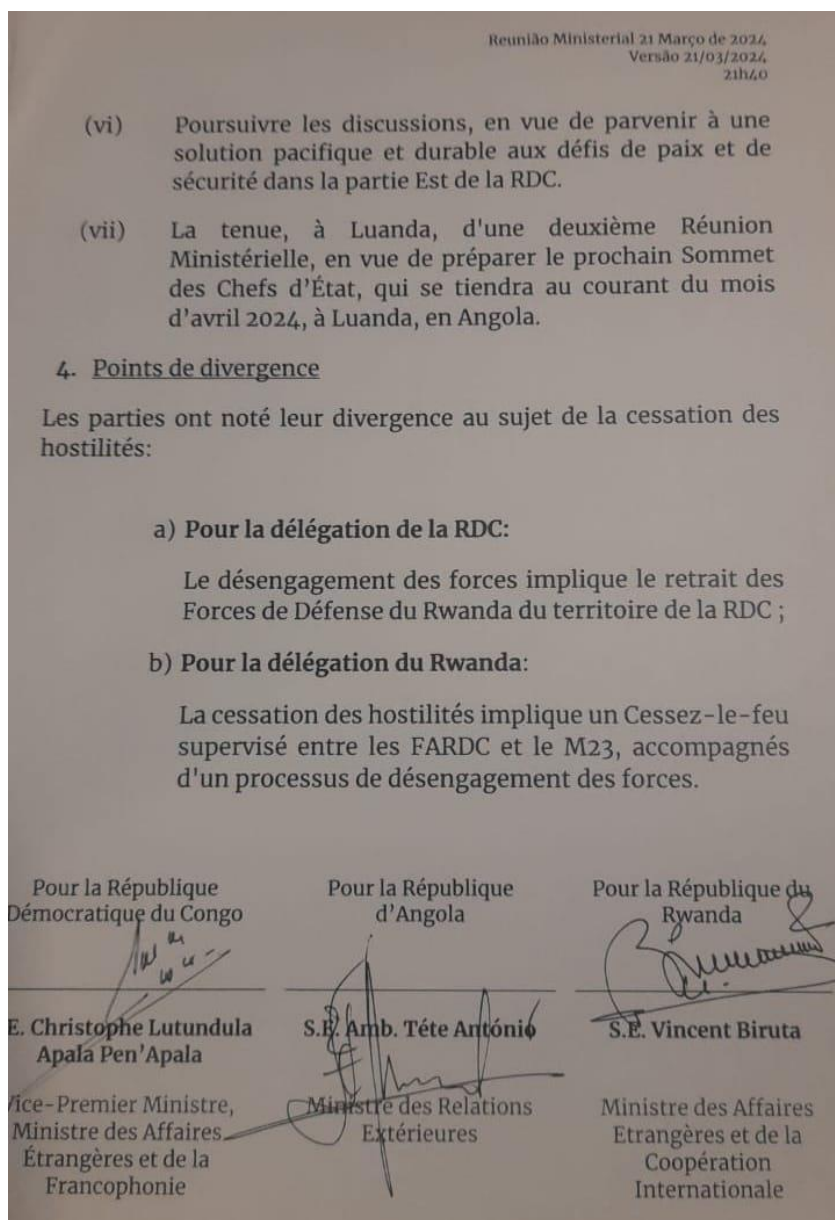
Annex 21 provides information on other confidence-building measures.



3. À l'issue de leurs discussions, les participants ont proposé ce qui suit à leurs Chefs d'État respectifs:

- (i) Le **Processus de Luanda** et le **Processus de Nairobi** demeurent les principaux instruments de référence pour parvenir à la paix et à la sécurité dans la partie Est de la RDC;
- (ii) La cessation des hostilités, y compris un Cessez-le-feu supervisé, accompagnés d'un processus de désengagement des forces ;
- (iii) La délégation de la RDC s'est engagée à présenter un Plan de Neutralisation des FDLR, accompagné d'un programme d'actions qui sera présenté lors de la prochaine Réunion Ministérielle;
- (iv) Consécutivement à la mise en œuvre du Plan susmentionné, la délégation du Rwanda s'est engagée à revoir les mesures et le dispositif pris pour assurer sa défense et sa sécurité;
- (v) L'adoption et le renforcement de mesures de confiance entre les parties, telles que:
 - a) La Cellule Conjointe d'Échange de Renseignements, créée en décembre 2023 dans le cadre de l'initiative américaine. La réunion a proposé aux Chefs d'État l'intégration de l'Angola;
 - b) Un Mécanisme de Garantie de Sécurité Mutuelle entre la RDC et le Rwanda.
 - c) L'instauration d'un climat d'apaisement évitant, notamment, les discours de haine et les attaques verbales entre les deux parties.





Document received from confidential source

Annex 21 (para. 31)

Temporary ceasefire brokered between the DRC and Rwandan Presidents in November and December 2023

Cessez-le-feu temporaire négocié entre les Présidents de la RDC et du Rwanda en novembre et décembre 2023

- In November 2023, confidence-building measures were agreed upon by the Rwandan and Congolese governments under the aegis of the United States. Diplomatic and intelligence sources informed the Group that the agreement included (a) the withdrawal of RDF troops from Petit Nord; (b) the engagement of FARDC to stop collaborating with, and supporting, the FDLR (see also paras. 70-80); and (c) the engagement of the DRC government to keep its CH4 armed drones grounded for an initial 4-day ceasefire period. The latter engagement was subsequently extended to 28 December 2023. The U.S. government made explicit reference to (b) as being one of the terms of the negotiations when, in a statement⁴⁶ issued on 17 February 2024, it called on the DRC government “to continue to support confidence building measures, including ceasing all cooperation with the Democratic Forces for the Liberation of Rwanda (FDLR)”⁴⁷ (see also full text of the statement below).
- The agreement under the aegis of the United States was driven by the desire to ensure stability during the electoral process and the presidential elections which were held on 20 December 2023. In light thereof, a further escalation of the tensions between the DRC and Rwanda had to be avoided.
- On 11 December 2023, the U.S. National Intelligence Director Avril Haines and other US officials brokered a temporary (72 hours) ceasefire between the Presidents of the DRC and Rwanda and called for M23’s withdrawal from several localities including Karuba and Bihambwe, north-west of Goma. Diplomatic, intelligence and security sources also reported that the engagement of the DRC government to keep its CH4 armed drones grounded was extended.

⁴⁶ <https://www.whitehouse.gov/briefing-room/statements-releases/2023/12/11/statement-from-nsc-spokesperson-adrienne-watson-welcoming-the-ceasefire-in-eastern-democratic-republic-of-the-congo/>

⁴⁷ <https://www.state.gov/escalation-of-hostilities-in-eastern-democratic-republic-of-the-congo/>

DECEMBER 11, 2023

Statement from NSC Spokesperson Adrienne Watson Welcoming the Ceasefire in Eastern Democratic Republic of the Congo



BRIEFING ROOM ▸ STATEMENTS AND RELEASES

The United States welcomes the 72-hour ceasefire committed to by the parties to the conflict in eastern Democratic Republic of the Congo (DRC). This development is a follow-up to the confidence building measures secured during Director of National Intelligence (DNI) Avril Haines' travel November 19-20 to the DRC and Rwanda, and her subsequent engagements with Presidents Felix Tshisekedi of the DRC and Paul Kagame of Rwanda.

Today, starting at noon Central Africa Standard Time (GMT+2), armed forces and non-state armed groups ceased fighting to facilitate the withdrawal of forces occupying the locality of Mushaki and the RP1030 road (Kirolwire-Kitchanga).

The DRC and Rwanda have expressed support for the U.S. proposal of a 72-hour ceasefire to advance the implementation of the confidence building measures to protect civilians and de-escalate tensions in eastern DRC.

The U.S. Government will use its intelligence and diplomatic resources to monitor the activities by armed forces and non-state armed groups during the ceasefire. In addition, the United States supports the resumption of the Nairobi and Luanda processes, which seek to address the current and historic factors perpetuating this longstanding crisis.

Statement also available [online](#)

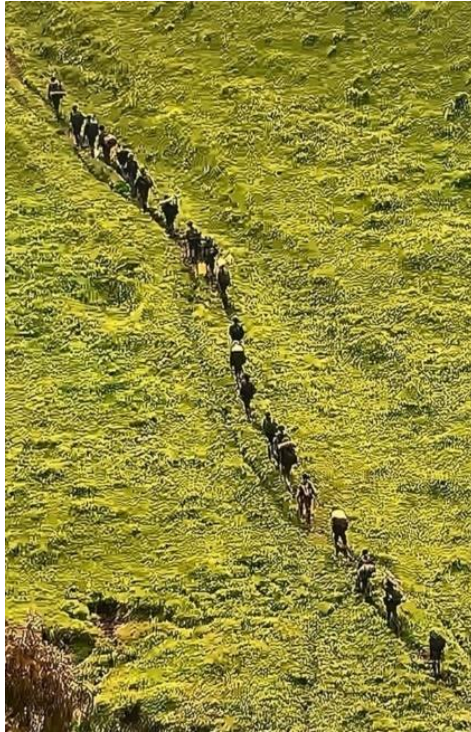
- Immediately after the announcement of the temporary ceasefire, several hundreds of RDF soldiers retired from RDF main positions in Masisi territory,⁴⁸ including from the “*trois antennes*” area in Mushaki and from their positions in Kilolirwe, as shown on the picture below.⁴⁹ Aerial footage of 14 December 2023 also showed 150 to 180 RDF soldiers in Mabenga, Rutshuru territory, in two trucks which thereafter moved towards Kahunga, prior to returning to Rwanda.⁵⁰ Other RDF troops, however, remained at their positions, including in Kibumba area, as shown on a video shot on 17 December 2024.⁵¹
- Aerial footage of 15 December also showed RDF soldiers retreating in the vicinity of Kilolirwe (see screenshot below).

⁴⁸ Security, intelligence and UN sources, and confidential documents.

⁴⁹ Security and intelligence sources.

⁵⁰ Intelligence, diplomatic and security sources.

⁵¹ Aerial footage on file with the Group.



Screenshot of the 15 December aerial footage provided to the Group by a confidential source

- Following the end of the ceasefire on 28 December 2023 which had triggered a partial retreat of the RDF, RDF elements again entered DRC territory and recaptured their previously abandoned positions, following which M23 and RDF were able to rapidly extend the area under their control (see annex 22 and annexes 27 to 29).
- It is noteworthy that in the context of the negotiations brokered by the United States in December 2023, it was not publicly discussed in what capacity Rwanda's president Paul Kagame was sitting at the negotiating table, agreeing to a ceasefire, while continuing to deny any involvement in the conflict, and while the United States did not hold any negotiations with M23 representatives. The United States explicitly acknowledged having negotiated with the two Presidents, Felix Tshisekedi of the DRC, and Paul Kagame of Rwanda. Consequently, Rwanda negotiating a ceasefire agreement and effectively implementing it – albeit temporarily – asserts Rwanda's role as a key party to the conflict. The Group notes that the ability to negotiate and implement a ceasefire, with immediate effect, leading to troop withdrawals, demonstrates the Rwandan government's effective authority and control over the troops present on DRC territory and engaged in combat.
- On 17 February 2024, the escalation of fighting led to the United States once again publicly⁵² condemning Rwanda's involvement in the conflict through its support to M23 and called on Rwanda to "immediately withdraw all Rwanda Defense Force personnel from the DRC and remove its surface-to-air missile systems, which threaten the lives of civilians, UN and other regional peacekeepers, humanitarian actors, and commercial flights in the eastern DRC".

⁵² <https://www.state.gov/escalation-of-hostilities-in-eastern-democratic-republic-of-the-congo/>

★ ★ ★

Escalation of Hostilities in Eastern Democratic Republic of the Congo

PRESS STATEMENT

MATTHEW MILLER, DEPARTMENT SPOKESPERSON

FEBRUARY 17, 2024

The United States strongly condemns the worsening violence in the eastern Democratic Republic of Congo (DRC) caused by the actions of the Rwanda-backed, U.S.- and UN-sanctioned M23 armed group, including its recent incursions into the town of Sake. This escalation has increased the risk to millions of people already exposed to human rights abuses including displacement, deprivation, and attacks. We call on M23 to immediately cease hostilities and withdraw from its current positions around Sake and Goma and in accordance with the Luanda and Nairobi processes. The United States condemns Rwanda's support for the M23 armed group and calls on Rwanda to immediately withdraw all Rwanda Defense Force personnel from the DRC and remove its surface-to-air missile systems, which threaten the lives of civilians, UN and other regional peacekeepers, humanitarian actors, and commercial flights in eastern DRC.

It is essential that all states respect each other's sovereignty and territorial integrity and hold accountable all actors for human rights abuses in the conflict in eastern DRC. We call on the government of the DRC to continue to support confidence building measures, including ceasing cooperation with the Democratic Forces for the Liberation of Rwanda (FDLR), an armed group named as a "negative force" by regional bodies and the government of the DRC, and which exposes the civilian population to risk. We continue to support regional diplomatic efforts that promote de-escalation and create the conditions for lasting peace in DRC and we call on all sides to participate constructively in reaching a negotiated solution.

Statement accessible at <https://www.state.gov/escalation-of-hostilities-in-eastern-democratic-republic-of-the-congo/>

- In a statement issued the following day, on 18 February 2024 (see below), Rwanda swiftly responded to the US government's specific request to remove its surface-to-air missiles systems from the DRC, in addition to immediately withdrawing all its Rwanda Defence Force (RDF) personnel (see full text of the statement below). Rwanda retorted that it was exercising its right to self-defence, and faced with threats from and by the DRC, it "has adjusted its posture accordingly", including "measures **to ensure complete air defense of Rwandan territory, and to degrade offensive air capabilities, following the introduction of advanced Chinese CH-4 attack drones by DRC in 2023**, and repeated violations of Rwandan airspace by Congolese fighter jets" [emphasis added]. The Group recalls that the last CH4 armed drone was shot down 7 February 2024 by a highly sophisticated mobile short-range air defence system (SHORAD) with a mounted, rotating radar and surface-to-air missile (see paras. 47-48, annex 23, and annexes 33 to 35).
- The Group recalls that such a sophisticated weapon system could have only entered DRC territory by road, through a neighbouring country, and its presence was recorded for the first time in eastern North Kivu, in M23- and RDF-controlled territories. The Group sent a request for information to the Government of Rwanda on 12 April 2024 regarding the diversion of military materiel from its intended legal and end-user and/or end-use, including with regards to the SHORAD system. The Government of Rwanda responded on 25 April 2024, dismissing the Group's inquiry in the following terms: "Regarding short-range air defence (SHORAD) systems allegedly identified in Bumbi, Rutshuru Territory, the Government of Rwanda rejects the use of drone imagery from undisclosed sources to give credence to pre-conceived narratives regarding Rwanda's advanced weaponry in DRC. The Government of Rwanda does not attach any credibility or importance to such unverified evidence."

RWANDA CLARIFIES SECURITY POSTURE

Kigali, 18 February 2024

Rwanda is deeply concerned by the abandonment of the Luanda and Nairobi Processes by the Government of the Democratic Republic of Congo, and by the international community's indifference to DRC's dramatic military build-up.

DRC has launched massive combat operations in North Kivu, in contravention of the decisions of regional mechanisms, and clearly aims to expel M23 and Congolese Tutsi civilians into neighboring countries, working in concert with the Democratic Forces for the Liberation of Rwanda (FDLR), a Rwandan ethnic militia which is directly linked to the genocide against the Tutsi in Rwanda in 1994. The recent M23 advances are due to the DRC's decision to expel the East African Community Regional Force in December 2023, which oversaw ceasefire and withdrawal efforts.

Protecting the rights and lives of Congolese Tutsi is the responsibility of the Democratic Republic of Congo. The consistent failure to do so has exposed the entire Great Lakes Region to thirty years of conflict and instability. Hundreds of thousands of Congolese Tutsi have lived as refugees in East Africa for decades, essentially forgotten. Hate speech and crude tribalism have become the currency of Congolese politics under the administration of President Félix Tshisekedi, and ethnic discrimination and targeted arrests and killings have become routine. FDLR is fully integrated into the Congolese Armed Forces (FARDC), as repeatedly documented by the UN Group of Experts.

Taken together, these facts represent a serious threat to Rwanda's national security. Because of that growing risk, Rwanda's position is that the M23 issue must be resolved politically amongst Congolese. It will not be accepted for the problem to be externalized into Rwanda, by force, once again.

The Congolese political and military leadership, including President Félix Tshisekedi, has also repeatedly declared their intention to invade Rwanda and change its government by force. Rwanda takes them at their word, and has adjusted our posture accordingly. This includes measures to ensure complete air defense of Rwandan territory, and to degrade offensive air capabilities, following the introduction of advanced Chinese CH-4 attack drones by DRC in 2023, and repeated violations of Rwandan air space by Congolese fighter jets.

The statement issued by the U.S. Department of State on 17 February 2024 fundamentally distorts these realities, and stands in puzzling contradiction with the substance and tone of the confidence-building process initiated by the U.S. Director of National Intelligence in November 2023, which created a productive framework for de-escalation. Rwanda will seek clarification from the U.S. Government to ascertain whether its statement represents an abrupt shift in policy, or simply a lack of internal coordination.

It was the U.S. Department of State which in December 2001 added FDLR – then known as “ALIR a.k.a. Interahamwe, ex-FAR” – to the Terrorist Exclusion List under the provisions of the Patriot Act, after the group murdered, and in some cases raped, eight Western tourists in Bwindi, Uganda, including two Americans.

To characterize this genocidal and terrorist outfit merely as an “armed group named as a ‘negative force’ by regional bodies and the government of the DRC” is a shocking and cynical act of realpolitik, which calls into question the ability of the United States to serve as a credible mediator in the Great Lakes Region.

DRC support to FDLR is a matter of state policy, not the choice of individual actors. Ending Congolese state support for FDLR, and ensuring their demobilization and repatriation to Rwanda, is a non-negotiable requirement to protect Rwanda’s territorial integrity and guarantee the preservation of our hard-won national unity for future generations. Accordingly, Rwanda reserves the right to take any legitimate measures to defend our country, so long as this threat exists.

Rwanda appreciates and fully supports the tireless mediation efforts of regional leaders, notably President João Lourenço of Angola. Rwanda is committed to taking extraordinary steps to achieve security and stability in our region by addressing the root causes of the conflict.

END

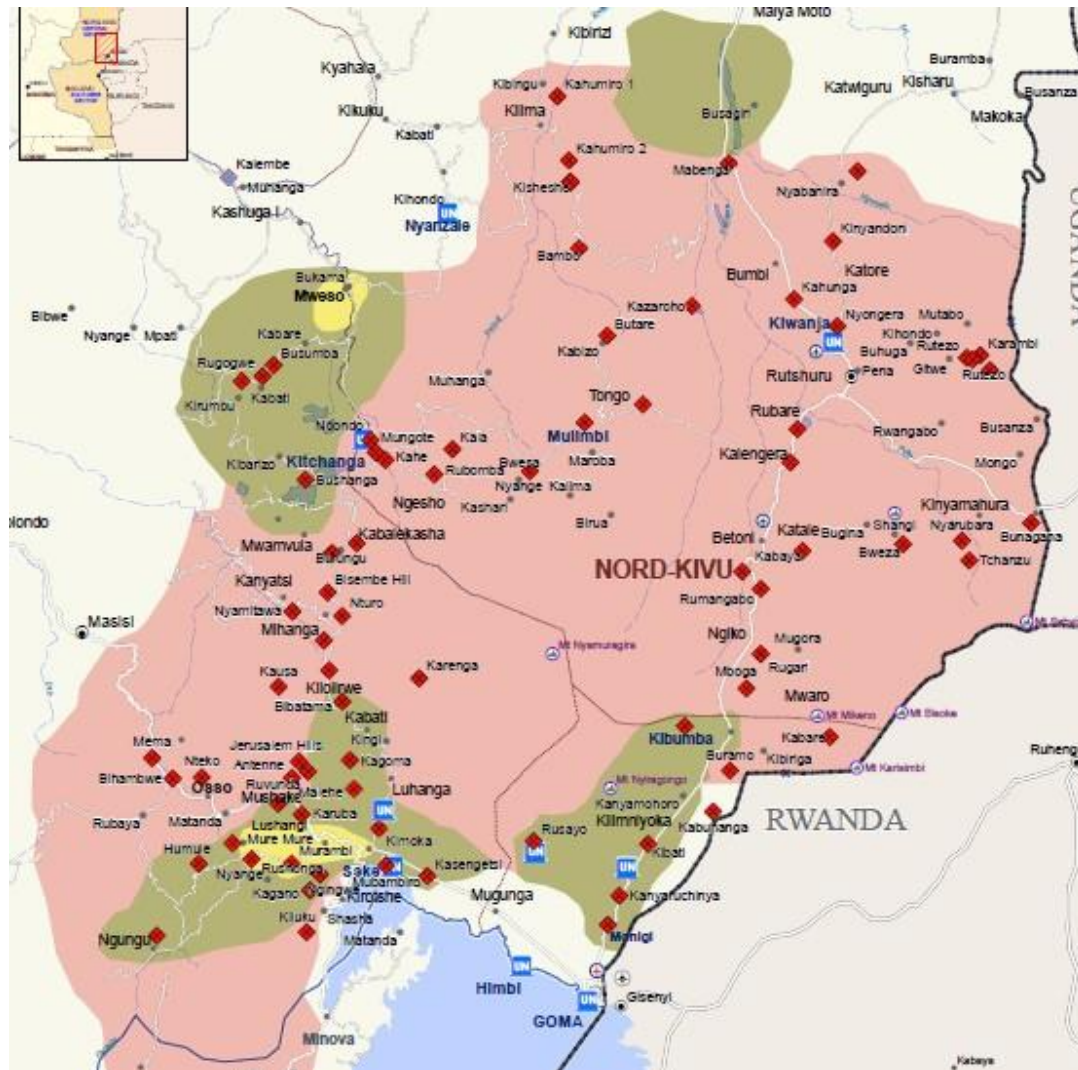
Accessible at <https://www.minaffet.gov.rw/updates/news-details/rwanda-clarifies-security-posture>

Annex 22 (para. 34)

Maps showing the M23/RDF area of influence and the encirclement of Goma town, and details regarding the increase of M23/RDF area of influence

Cartes montrant la zone d'influence du M23 et des RDF et l'encerclement de la ville de Goma, et détails concernant l'augmentation de la zone d'influence des M23 et RDF

- Map of M23 and RDF area of operations in February 2024 showing the encirclement of Goma



Map received by the Group from confidential source on 18 February 2024

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Red bullets: M23 and/or RDF presence
 Red areas: M23 and RDF areas of influence
 Green areas: Projected clashes [as of February 2024]
 Yellow areas: Contested areas

-
- The Group notes that as of 10 April 2024, when the present report was finalized, M23 and RDF's area of influence was the largest ever recorded and included (see also a visual illustration on the map below):
 - most of Rutshuru territory
 - eastern Masisi territory
 - northern Nyiragongo territory
 - part of Lake Kivu (Minova area)
 - part of Lake Edward (Vitshumbi area).
 - Between November 2023 and 12 March 2024, M23 and RDF's area of influence increased by almost 70 percent.
 - The map of M23 and RDF's area of operations mid-March 2024 (below-map 2) showed significant expansion towards the north, which increased M23 and RDF's area of influence by 30 percent in one single week (4-11 March 2024).
 - By comparison, the maps below illustrate the M23 and RDF's area of influence in March 2024 (below-map 2) and July 2023 (below - map 1). The Group notes that M23/RDF did not increase its area of operations between 12 March and 10 April 2024.⁵³

⁵³ The present report covers investigations conducted up to 10 April 2024.

- The Group recalls that information regarding M23 infiltrations in other areas including Kalehe territory (northern South Kivu), Beni territory, Kisangani area (13 km north-east of Kanyabayonga) were regularly reported at time of drafting, however the Group was not yet able to corroborate this to the required standard of proof.
- Several recently captured or surrendered M23 combatants, as well as an RDF officer captured by the FARDC in January 2024, conveyed to the Group that seizing Goma remained one of the stated objectives of M23, although this was denied by an M23 communiqué (see below). In this regard, several sources claimed that RDF's objective was also to capture Goma and Bukavu, but other sources, however, reported that the Rwandan authorities were reluctant to seize both cities. In the meantime, AFC coordinator, Corneille Nangaa, during a public meeting in Kiwanja on 28 March 2024, announced that they would soon take Goma, among other locations.
- All M23 combatants reported that M23 alone did not have the military capacity to take Goma or Bukavu. This analysis was confirmed by researchers, RDF officers, sources close to Rwanda, intelligence and security sources.

M23 communiqué refuting allegations that M23's intention was to seize Goma



Document received from M23 source and available on social media

Annex 23 (para. 35)**Examples of CH4 drone strikes targeting M23****Exemples de frappes de drones CH4 visant le M23**

- On 6 January 2024, 22 M23 combatants, including several young trainees and several RDF officers, were killed in a CH4 drone strike carried out by the FARDC on M23 positions in Nyongera military camp, 2 kilometres north of Kiwanja.⁵⁴ According to intelligence and security sources, the drone strike was carried out because FARDC had received information regarding the holding of a meeting in Nyongera that day, and also because Nyongera reportedly hosted an M23 ammunition depot.
- On 16 January 2024, “colonel” Castro Mberabagabo, M23’s military intelligence chief, was killed in a second CH4 drone strike carried out by the FARDC. Another high-ranking M23 officer, Erasto Bahati Musanga, M23’s chief of finance, was severely wounded, along with other M23 soldiers. During a conversation with the Group that same day, sanctioned individual Willy Ngoma (CDi.044), M23 military spokesperson, acknowledged the killing of Castro and Bahati.
- In a communiqué of 17 January 2024 (see below), M23 reported the killing of two of its commanders and qualified the CH4 drones strike as a violation of the ceasefire (see below). However, information obtained later by the Group revealed that Erasto Bahati had been severely wounded but not killed during the drone strike. After his recovery in a hospital, Erasto Bahati returned to M23-controlled territory. On 28 March 2024, he appeared publicly during a meeting organized by AFC in Kiwanja.
- On 18 January 2024, a third CH4 drone strike targeted M23 positions close to Rumeneti and Kilolirwe. Security and intelligence sources reported that M23 stored weaponry and ammunition in these positions, which was the reason for this new drone strike.
- The Group notes that at time of drafting, all three CH4 drones of the DRC Government ([S/2023/990](#), annex 20) had been neutralized, setting back the FARDC air attack capabilities to previous levels. On 6 January 2024, the first CH4 drone was neutralized by M23 or RDF while operating at 7 kilometers north-west of Kibumba, Rutshuru territory. On 24 January 2024, the second CH4 drone crashed on the airstrip in Kavumu, South Kivu, following a collision with a fire-fighting vehicle while landing. On 7 February 2024, a mobile short-range air defence system (SHORAD) in Kahunga, 5 km north of Kiwanja, shot down the last CH4 drone.

⁵⁴ Security and M23 sources.



OFFICIAL COMMUNIQUE OF JANUARY 17th, 2024

The M23 Movement Directorate expresses its gratitude to the Regional Leaders and International Partners for their endless efforts to resolve the ongoing conflict in Eastern DRC peacefully by addressing the root causes of the conflicts. We, hereby, inform the public of the following:

1. The M23 has respected the Regional leaders' and International Partners imposed ceasefire which the Kinshasa regime flouted and ignored. On Tuesday, January 16th, 2024, the Kinshasa régime violated yet again the imposed ceasefire by attacking our forces on the front lines and carrying out acts of assassination behind our front lines, killing two of our commanders.
2. From the foregoing, the M23 has understood the message sent to it by the Kinshasa regime and will respond accordingly.

Bunagana, January 17th, 2024

The M23 Movement Spokesperson



Lawrence KANYUKA

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Document received from M23 source and published on social media

Annex 24 (para. 35)

Appointments and promotions among M23 military and civilian staff

Nominations et promotions au sein du personnel militaire et civil du M23

- On 23 January 2024, M23 leadership announced the promotion of the following M23 officers, “considering the need to regularize the administrative situation of officers of the Congolese Revolutionary Army (ARC) for their bravery and feats of arms in the performance of their mission” (see below):
 - “Brigadier-General” Gacheri Musanga Justin (previously “colonel”)
 - “Colonel Nsanze Nzamuye Jimmy (previously “lieutenant-colonel”)
 - “Colonel” Karangwa Bihire Justin (previously “lieutenant-colonel”)
 - “Lieutenant-colonel” Nsengiyumba Mutekano Innocent (previously “major”)
 - “Lieutenant-colonel” Mbanjimbere Innocent (previously “major”)
 - “Lieutenant-colonel” Makomari Ruben (previously “major”)
 - “Lieutenant-colonel” Kasongo Papy (previously “major”)
 - “Lieutenant-colonel” Mwiseneza Gakwaya Christin (previously “major”)
 - “Lieutenant-colonel” Ngoma Willy (previously “major”)
- The Group notes that Willy Ngoma is a sanctioned individual (CDi.044)



Document received from M23 source

- On 23 January 2024, the M23 leadership also announced appointments of M23 department heads and deputy department heads (see below):



PRESIDENCE

DECISION N° 033/PRES-M23 /2024 du 23 Janvier 2024 portant nomination des Chefs de Département et Chefs de Département adjoint du Mouvement du 23 mars

Le Président du Mouvement

Vu les Statuts et Règlement Intérieur du Mouvement du 23 mars,

Vu la décision N°014 /HCM/M23/2013 du 7 mars 2013 portant désignation du Président du Mouvement du 23 mars ;

Considérant les conclusions du Congrès Extraordinaire du Mouvement du 23 mars tenu le 7 mars 2013 portant entérinement de la Décision N°014/HCM/M23/2013 du 7 mars 2013 portant désignation du Président du Mouvement du 23 mars ;

Considérant le besoin de renforcer les activités politiques du Mouvement du 23 mars en vue d'en maximiser les résultats ;

Le Haut-Commandement Militaire du Mouvement entendu en ses avis et considérations,

Vu la nécessité et l'urgence ;

DECIDE :

Art 1^{er} :

Sont nommés aux fonctions en regard de leurs noms, les camarades ci-après :

- Département de la Mobilisation, formation idéologique des cadres et Implantation du Mouvement

Chef de Département : **RUKOMERA Désiré** ;

Chefs de Département Adjoint :

- **UZAMUKUNDA Pascal**
- **KULU Jean-Louis**

- Département de la Communication et Médias

Chef de Département : **KANYUKA Lawrence**

Chef de Département Adjoint : **BALINDA Oscar**

- Département des Finances et Production :

Chef de Département : **BAHATI MUSANGA**

Chef de Département Adjoint : **NZABONIMPA MUPENZI Jean-Bosco**

Art 2^e :

Toutes les dispositions antérieures contraires à la présente décision sont abrogées ;

Art 3^e :

Le Secrétaire Exécutif du Mouvement du 23 mars est chargé de l'exécution de la présente décision qui sort ses effets à la date de sa signature.

Fait à Bunagana, le 23 Janvier 2024

Le Président du Mouvement du 23 mars

Bertrand BISIMWA

Document received from M23 source

Annex 25 (para. 35)**M23 parallel administration, and heavy-handed control over civilians and humanitarian actors****Administration parallèle du M23, et un contrôle rigoureux sur les civils et les acteurs humanitaires**

- **M23 parallel administration**

M23 continued to operate and develop its parallel administration, and taxed civilians and economic actors in all areas under its control (paras. 127-130 and 141-144). The parallel administration established by M23 also included intelligence networks, as confirmed by civil society sources and eyewitnesses in M23 controlled areas. In the area under its control, M23 seized by force public and private properties to install its administration and parallel services.

Several *administrateurs de territoires*, *chefs de groupements*, *chefs de localité*, security officers and other local authorities were installed by M23, for example:

In Rutshuru territory:

- M23 Territorial Administrator; Prince Mpabuka

In Kitchanga town (Masisi territory):

- M23 Chief of Kitchanga cité; Mangunga Kibanja Patient
- M23 Deputy Chief of Kitchanga cite: Batachoka Niyomugabo Faustin

In Bweza *groupement* (Bwisha *chefferie*, Rutshuru territory) :

- M23 Chief of Bweza *groupement*: Nsengiyunva Rukeribuga Emmanuel
- M23 Chief of Tanda locality: Bahati Sinabajje
- M23 Chief of Ntamugenga locality: Habarugira Gasigwa Jean-Mondo
- M23 Chief of Kabasanza locality: Kabirigi Senyamarwa
- M23 security officers of Rutsiro locality: Bizamana Sebaya
- M23 security officer of Ntamugenga center: Innocent Kibirima
- M23 Chief ANR in Rutshuru territory: Ntiriniga Bashoboye Papias
- M23 Chief agriculture of Bweza *groupement*: Nsanzimana Sekinanira
- M23 Chief peace and security Bweza *groupement*: Dusabe Muvuzankawaya

In Gisigari *groupement* (Bwisha *chefferie*, Rutshuru territory) :

- M23 Chief of Gisigari *groupement*: Nzamuye Kabaya
- M23 Police commissioner and Chief peace and security of Gisigari *groupement*: Charigufi Baraka
- M23 Chief of Rubare village: Maguru

In Kalengera locality (Gisigari *groupement*, Bwisha *chefferie*, Rutshuru territory), M23 nominated four chiefs as the locality was split into 4 sections by M23:

- Ndazeya Kanuma, Kigani Bodoue, Kabera Batega and Nyabade.

In Kako locality (Gisigari *groupement*, Bwisha *chefferie*, Rutshuru territory), M23 nominated two chiefs as the locality was split into 2 sections by M23:

- M23 Chief of Kako Nord: Kasengele Birusha Nyarubwa
- M23 Deputy Chief of Kako Nord: Dogo Mayaka
- M23 Chief of Kako Sud: Bahati Bideri
- M23 Deputy Chief of Kako Sud: Sibomana Mafara. The Group notes that Bahati Bidera was arrested by M23 in early March 2024 because he was accused of collaborating with FDLR. He has remained incommunicado since.

In Jomba *groupement* (Bwisha *chefferie*, Rutshuru territory):

- M23 Chief of Jomba *groupement*: Mwambutsa
- Chief of Bunagana town: Désiré Kanyamarere
- Chief of Bunagana locality: Sekabara Rumazimisi
- Deputy Chief of Bunagana locality: Nziza

Example of a M23 communiqué announcing appointments of individuals part of the parallel administration network:



PRESIDENCE

DECISION N° 034/PRES-M23 /2024 du 23 Janvier 2024 portant mise en place au sein de l'Administration Territoriale de la Zone Libérée

Le Président du Mouvement

Vu les Statuts et Règlement Intérieur du Mouvement du 23 mars,

Vu la décision N°014 /HCM/M23/2013 du 7 mars 2013 portant désignation du Président du Mouvement du 23 mars ;

Considérant les conclusions du Congrès Extraordinaire du Mouvement du 23 mars tenu le 7 mars 2013 portant entérinement de la Décision N°014/HCM/M23/2013 du 7 mars 2013 portant désignation du Président du Mouvement du 23 mars ;

Considérant le besoin de garantir la continuité des services publics aux administrés des zones libérées par le Mouvement du 23 mars ;

Le Haut-Commandement Militaire du Mouvement entendu en ses avis et considérations,

Vu la nécessité et l'urgence ;

DECIDE :

Art 1^{er} :

Sont nommés aux fonctions en regard de leurs noms, en territoire de RUTSHURU, les camarades ci-après :

1. Administrateur du Territoire : **Prince MPABUKA** ;
2. Administrateur du Territoire Adjoint : **Docteur BOLINGO Salomon** ;
3. Chef de Cité de BUNAGANA : **KANYAMARERE Désiré** ;
4. Chef de Cité de KIWANJA : **KATEMBO Julien** ;
5. Chef de Cité de RUBARE : **MAGURU Célestin**.

Art 2^e :

Les Comités Paix et Sécurité sont transformés en Comités Locaux de Développement sous la responsabilité de l'Administrateur du Territoire ;

Art 3^e :

Toutes les dispositions antérieures contraires à la présente décision sont abrogées ;

Art 4^e :

Le Secrétaire Exécutif du Mouvement du 23 mars est chargé de l'exécution de la présente décision qui sort ses effets à la date de sa signature.

Fait à Bunagana, le 23 Janvier 2024

Le Président du Mouvement du 23 mars

Bertrand BISIMWA

Tél : Porte-Parole Politique +243899411093, Porte-Parole militaire +243814946907 Email : mouvementdu23mars2@gmail.com

Document received from M23 source

- **Heavy-handed control over civilians and humanitarian actors**

Multiple sources reported that M23 increased its heavy-handed control over the populations living in the territories it controls, in particular since the 16 January CH4 drone strike (para. 35). On several occasions, civilians were forced to attend public coordination and/or public outreach meetings organized by M23. During these meetings, instructions and orders were given, including instructions to send youth to training centres, curfew orders and orders to participate in communal works called “Salongo” (para. 117).

In parallel, M23 drastically decreased the free movement of humanitarian agencies and NGOs in M23-controlled areas, and increased pressure on, and control of, humanitarians in these areas. Multiple sources reported that heavy-handed control over humanitarian actors increased since the CH4 drone strikes of January 2024, i.e., since “colonel” Imani Nzenze Idi became the M23’s liaison with NGOs and humanitarian agencies after the killing of “colonel” Castro Mberabagabo. Between January and April 2024, five NGO staff were arrested by M23. They had been released at time of drafting. M23 aimed at controlling all activities of NGOs and humanitarian agencies on the ground and prevented the holding of some activities. M23 also tried to orient aid distribution, which was refused by humanitarian actors involved at time of drafting, putting pressure on their relationship with M23 leaders and combatants on the ground. At the time of drafting, NGOs and humanitarian agencies were still subject to cumbersome conditions for access to M23 controlled areas.

The M23 communiqué below is an illustration of instructions given to NGOs in M23 controlled areas, and criticism levelled at NGOs:

REPUBLIQUE DEMOCRATIQUE DU CONGO
PROVINCE DU NORD-KIVU
TERRITOIRE DE MASISI
CITE DE KITSHANGA
SERVICE D'ADMINISTRATION

**NOTE CIRCULAIRE N° 001/CITE-KITSH/2024 DU 10/04/2024 A L'INTENTION
DES ORGANISATIONS NON GOUVERNEMENTALES INTERNATIONALES,
NATIONALES ET LOCALES OEUVRANT DANS LA CITE
DE KITSHANGA ET SES ENVIRONS**

ORGANISATION **SIZE A** *KITSHANGA*

Chers collaborateurs et partenaires humanitaires ;

Dans le souci de permettre un climat d'attente mutuelle et de redevabilité à la communauté bénéficiaires de nos différentes interventions, les observations ci-après ont été notées après les constats avec les autorités administratives de la cité. Il s'agit notamment :

- La présentation de différents rapports par voie verbale ;
- La non prise en compte des recommandations issues des autorités de la cité ;
- La malignité (hypocrisie) dans la manière de gérer la question du recrutement local.

Ainsi, tout nous empêchant de nuire au principe d'indépendance qui vous caractérise, mais en vue d'appuyer le partenariat et la collaboration entre nous, les orientations administratives suivantes sont à mettre en pratique hic et nunc (ici et maintenant) :


- ✓ Nous envoyer des rapports écrits à chaque fois que vous avez des informations à nous livrer sur les projets que vous exécuter et non venir nous les fournir oralement au bureau et même au téléphone, car « Verba volant, scripta manent », disent les romains, c'est-à-dire que les paroles s'envolent, mais les écrits restent.
- ✓ Tenir compte des recommandations des autorités de la cité est une condition sine qua non.
- ✓ Eviter l'hypocrisie et le trafic d'influence dans le recrutement.

Cette façon d'agir nous permettra de produire un travail efficace auprès de nos bénéficiaires des projets en notre exécution et responsabilité.

« A bon entendeur, Salut ».

Fait à Kitshanga, le [REDACTED]/2024

MANGUNGA KIBANDJA Patient
Mangunga Kibandja Patient
Chef de cité et président du COGECI



Document received from confidential source

Annex 26 (para. 38)

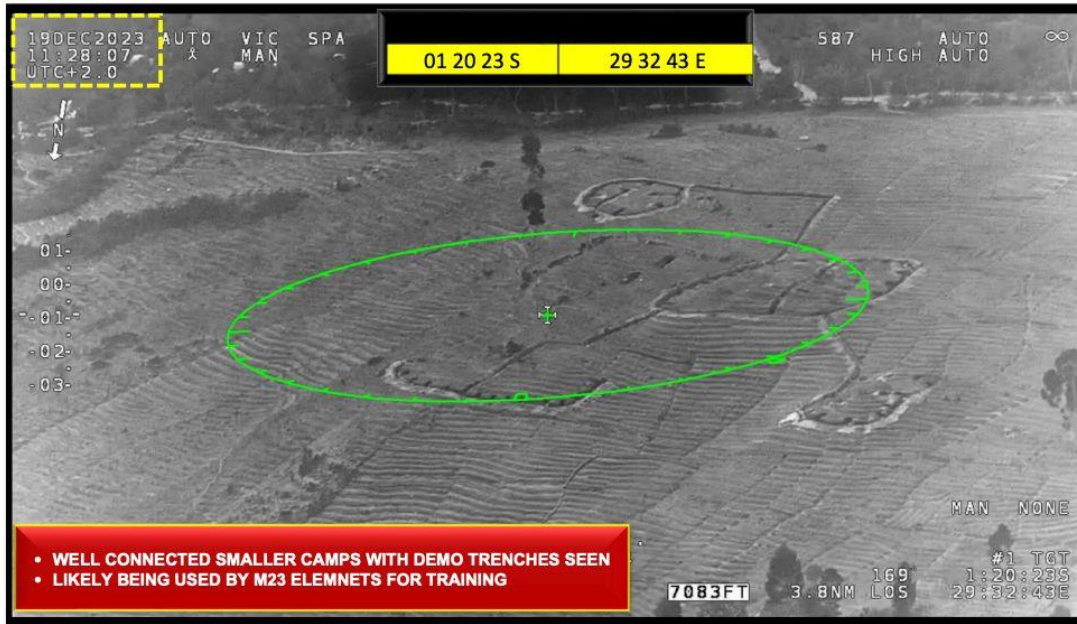
Military training camp at Tchanzu

Camp d'entraînement militaire a Tchanzu

Aerial imagery captured on 19 December 2023 confirmed the existence of a well-established M23 military camp and associated training ground in Tchanzu (see below). The first image depicts the main hilltop section of Tchanzu military camp, occupied by M23. The large gatherings of men in the second and third image, depicting more than 60 persons in organized formation, is consistent with testimonies describing ongoing military training at that location during that period.

Former M23 combatants, who have spent weeks to months at the camp, confirmed details about its location, layout, and organization. This camp, serving as M23's primary training centre, also houses the largest prison and an important medical facility.





Source: Aerial images provided by UN sources.

Annex 27 (para. 40)

Additional information on the presence and strategic positioning of RDF elements in Petit Nord, including aerial footage and photographic evidence**Informations supplémentaires sur la présence et le positionnement stratégique des éléments des FDR à Petit Nord, y compris des images aériennes et des preuves photographiques**

- Regarding the presence of RDF soldiers on DRC territory, see also:

- [S/2022/967](#), paras. 47-51 and annexes 29-32.
- [S/2023/431](#), paras. 54-61 and annexes 28-35.
- [S/2023/990](#), paras. 29-30 and annex 17.
- Present report, annex 22, annexes 28 and 29, and annex 42

- **RDF soldiers' presence at an elementary school in Kibumba, October 2023**

Aerial footage taken on 29 October 2023 showed RDF soldiers in uniforms equipped with weaponry and backpacks similar to standard RDF-issued equipment sitting next to (*picture 1*), and marching/standing in close vicinity of (-1.493924°-29.340560°) (*picture 2*) the Emmaüs elementary school in Kibumba (-1.4923371-29.339487°). Aerial footage also shows a vehicle on the primary school grounds (*picture 3*) and a vehicle with RDF soldiers sitting in the back in close vicinity of the school (-1.492741°-29.339585°) (*picture 4*).

Civil society sources, eyewitnesses and intelligence sources identified the uniformed men in/around the elementary school in Kibumba as RDF soldiers, and reported that the elementary school was used by RDF as a logistical base.

Picture 1

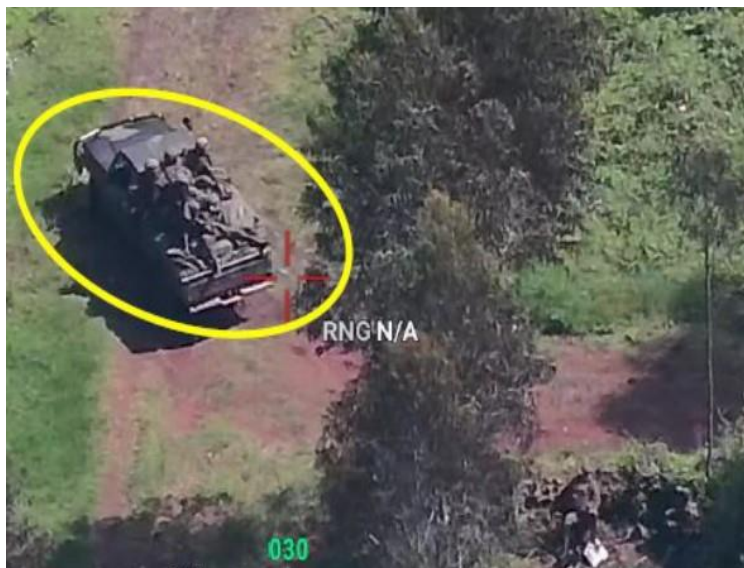
Picture 2



Picture 3



Picture 4



Above: Screenshots of aerial footage received from confidential source



Map indicating the location (in red) of the elementary school Emmaüs

Map data ©2024 Google

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

- **RDF south of Kilolirwe, November 2023**

Aerial footage shot on 22 November 2023 showed a large gathering of RDF soldiers (*pictures 1 and 2*), as well as RDF soldiers marching in columns on a road south of Kilolirwe carrying boxes, most likely boxes of ammunition (*pictures 3*) (-1.4374778°-29.0189361°). The soldiers in the imagery were equipped with uniforms and helmets similar to standard RDF-issued equipment and were identified as RDF soldiers by eyewitnesses, civil society, security and intelligence sources.

Pictures 1 and 2





Picture 3



Screenshots of aerial footage received from a confidential source



Map indicating the location (in red) of the RDF on 22 November 2023 in the vicinity of Kilolirwe

Map data ©2024 Google

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United

- **RDF east of Kilolirwe, December 2023**

Aerial footage taken on 23 and 25 December 2023 showed RDF soldiers few kilometres east of Kilolirwe (1°24'45.04"S-29°01'08.03"E), some carrying ammunition. The soldiers were equipped with uniforms, helmets and backpacks similar to standard RDF-issued equipment, and were identified as RDF soldiers by eyewitnesses, civil society, security and intelligence sources.





Screenshot of aerial footage received by the Group from a confidential source.

- **RDF in Bunagana, DRC, December 2023**

On 21 December 2023, soldiers and new vehicles were spotted in Bunagana. Intelligence and M23 sources informed the Group of RDF and UPDF presence in Bunagana during that time.



Picture received by the Group from a confidential source

- **RDF east of Kilolirwe in January 2024**

On 27 December 2023 (*picture 1*), as well as on 5 January (*picture 2 and 3*), 9 January (*picture 4*), 15 January (*picture 5*) and 20 January 2024, soldiers in uniforms equipped with weaponry and backpacks similar to standard RDF-issued equipment were spotted east ($1^{\circ}24'53.80\text{S}-29^{\circ}01'34.88''\text{E}$) and southeast of Kilolirwe ($1^{\circ}24'54.05''\text{S}-29^{\circ}01'32.02''\text{E}$). Intelligence and civil society sources identified the soldiers as RDF soldiers.

Picture 1



Picture 2



Picture 3



Picture 4



Picture 5



Screenshots of aerial footage received by the Group from confidential sources

- **RDF on the Kalengera-Tongo road**

On 27 January 2024, eyewitnesses, civil society and intelligence sources reported the movement of some 800 RDF soldiers on the road linking Kalengera and Tongo, in Rutshuru territory, through the Virunga National Park (VNP). The Group notes that the road linking Kalengera and Tongo was frequently used by RDF to transport logistics from Rutshuru territory into Masisi territory. The Group received multiple reports of a supply of both manpower and logistics through this road. The RDF soldiers observed on 27 February reportedly belong to the RDF Special Forces.⁵⁵

- **RDF on strategic positions**

Since the reinforcement of RDF troops in Petit Nord in late December 2023 and early January 2024, RDF presence was observed at several positions close to the frontline (see also annexes 28 and 29, and annex 42).⁵⁶

The following annexes provide additional information on RDF presence and strategic positioning of RDF troops.

⁵⁵ Intelligence and security sources.

⁵⁶ Confidential documents including aerial footage, FARDC and security sources, Wazalendo combatants and intelligence sources.

Annex 28 (para. 41)

RDF troops entering the DRC in January 2024, and RDF and M23 elements taking control over additional areas around Sake and North of Sake

Entrée des troupes du RDF en RDC en janvier 2024, et prise de contrôle par le RDF et M23 de zones supplémentaires autour de Sake et au nord de Sake

- Aerial footage shot on 6 (*picture 1 and 3*), 17 and 20 January 2024 (*picture 2*) showed soldiers in Kibumba in uniforms equipped with weaponry and backpacks similar to standard RDF-issued equipment, and a vehicle carrying RDF soldiers. An earlier video shot on 23 December 2023, on file with the Secretariat, also showed a column of soldiers in uniforms crossing the road from the east (border with Rwanda) to the west (DRC).
- In the second half of December 2023 and January 2024, civil society sources, local authorities and eyewitnesses reported that RDF troops and RDF vehicles arrived from the Rwandan side of the border and entered the DRC through Kabuhanga, south of Kibumba, and other border crossings in Kibumba/Buhumba. Aerial footage shot on 25 January 2024, on file with the Secretariat, showed 90 RDF soldiers crossing a road in Kibumba from the east to the west, into Virunga National Park. On two other videos (*pictures 4 and 5*) shot on 25 January 2024, three pick-up vehicles and three trucks with RDF soldiers were observed on the same road going towards the north.

Picture 1



Picture 2



Picture 3



Pictures 4 and 5



Screenshot from aerial footage received by the Group from a confidential source

- In the first days of February 2024, RDF took control of a large number of hills southwest of Sake, including Ngingwe and Kiluku, close to Minova. On 3 February 2024, following heavy fighting with the FARDC, the Wazalendo armed groups and the FDLR, M23 and RDF took control of Shasha and Kirotshé villages in Masisi territory, southwest of Sake and only few kilometres away from the border with South Kivu, thus cutting off access to the road connecting Goma to Bukavu in South Kivu. Since the takeover of Shasha village, heavy fighting resumed (see also [S/2023/431](#), para. 42) in the vicinity of Sake, only 20 kilometres from Goma, and was ongoing at time of drafting
- The Group notes that RDF interventions were critical to the M23 advances southwest of Sake, including taking control of Shasha on the RN2. This was confirmed by M23, intelligence, security, FARDC and Wazalendo sources, as well as by sources close to Rwanda and one RDF officer.
- Following the deployment of additional RDF and M23 troops in the area, on 7 February 2024 M23 and RDF attacked FARDC and Wazalendo positions on Jerusalem, Malehe and Nenero hills, only a few kilometres north of Sake. FARDC positions soon collapsed under the military pressure, and FARDC withdrew towards the Sake-Kitchanga road. Consequently, MONUSCO defensive positions were the only ones remaining to block further advancements by M23 and RDF towards Sake and Goma at that time.⁵⁷ On the same day, M23 and RDF advanced towards the so-called “three-antennas” area, 5 kilometres northwest of Sake. Clashes were reported in several areas in close vicinity of Sake and along the Sake-Mushaki axis. The 7 February clashes were particularly deadly, leaving around 150 fighters killed, including FARDC, “Wazalendo”, PMC elements, M23 combatants and RDF soldiers.
- On 12 February 2024, M23 with RDF support relaunched offensive operations in the direction of Sake on the northern, northwestern and western axes.⁵⁸ On the northern road, they captured Luhanga, 10 km north of Sake. On the western axis, they reached Mitumbala, 5 kilometres west of Sake. On the northwest axis, they advanced on the Malehe and Nenero ridges.⁵⁹
- The Group notes that since the reinforcement of RDF troops in early January 2024, RDF presence was observed at several positions close to the frontline, in particular around Sake. This was a shift in operational strategy, as RDF troops were previously positioned mainly on more remote positions, leaving M23 at frontline positions, with RDF intervening only to capture new territories and withdrawing again to the more remote positions.⁶⁰ In mid-February 2024, most RDF positions at the frontline around Sake were again handed over to M23. However,

⁵⁷ UN report, security and FARDC sources.

⁵⁸ Idem

⁵⁹ Idem.

⁶⁰ Confidential documents including aerial footage, FARDC and security sources, “Wazalendo” combatants and intelligence sources.

since mid-March 2024 RDF had returned to frontline positions and were involved in fighting around Sake. At the time of drafting, around 500 RDF and 500 M23 were reportedly positioned in Sake-Karuba.

- During the offensives against the FARDC and Wazalendo, heavy weaponry such as mortars, artillery, and 120/122 mm rockets, as well as sniper fire, were used, thus showing that M23, besides receiving support in manpower, also received substantial material support (see para. 46-54).
- Since the escalation of the conflict in Sake area early February 2024, clashes between M23 and FARDC, Wazalendo elements, SAMIDRC and MONUSCO were recurrent, as there were also repeated exchanges of artillery shelling involving FARDC/SAMIDRC and M23/RDF in the vicinity of Sake and Minova, ongoing at the time of drafting.
- On 4 April 2024, RDF took over MONUSCO blocking positions northwest of Sake after the Indian contingent of MONUSCO had withdrawn from those positions. RDF and some M23 were still positioned at the three positions at the time of drafting.

Annex 29 (para. 42)

RDF troops providing critical support in the occupation of Rwindi in March 2024, and FARDC withdrawal

Les troupes du RDF apportant un soutien essentiel à la conquête et à l'occupation de Rwindi en mars 2024, et retrait des FARDC

- **RDF entering Rwindi, and RDF and M23 occupation leading to massive population displacement**
- Two videos filmed by a MONUSCO peacekeeper on 9 March 2024, i.e., one day after the RDF's takeover of Rwindi, showed a large column of RDF soldiers passing in front of MONUSCO FIB position in Rwindi (see picture below). Eyewitnesses reported that the soldiers spoke English, wore RDF uniforms, and identified themselves as being Rwandan.



Screenshot of video received from UN source and on file with the Secretariat

- Subsequently, RDF soldiers occupied Rwindi and established positions, including some positions immediately adjacent to MONUSCO bases.
- Several sources reported that the RDF troops which were deployed and active at the northern front, notably Mabenga, Rwindi and Katanda, included members the 201st brigade as well as members of the RDF Reserve Force, totaling an estimated 1,000 soldiers. They had come from Kibuye, Rwanda. RDF troops of the 405th brigade were also active on the Mabenga-Rwindi axis.
- Eyewitnesses, MONUSCO and security sources reported that M23 arrived only after RDF had taken and occupied Rwindi, and that both RDF and M23 settled in Rwindi. M23 troops on the Rwindi-Mabenga road were reportedly commanded by “colonel” Ernest Sebagenzi, commander of the 1st M23 Brigade. At the time of drafting, Sebagenzi was based in Vitshumbi, further towards the North.
- In March 2024, there were several reports of M23 reinforcements in the Rwindi area. In late March 2024, the total number of both M23 and RDF in the Nyanzale-Rwindi area was estimated at 2000 in total.⁶¹ RDF and M23 still occupied Rwindi at time of drafting.
- Nearly the entire population of Rwindi vacated the town prior to, and immediately after, the arrival and occupation by RDF and M23 of Rwindi and its vicinity. Humanitarian sources reported that on 10 March, an additional 76,810 IDPs had been displaced towards Kanyabayonga and 6,000 persons had fled further north towards Kirumba, in Lubero territory.

⁶¹ Eyewitnesses, security sources, UN sources and confidential documents.

- Eyewitnesses and security sources informed the Group that RDF and M23 had expressed particular interest in taking over Rwindi's ICCN⁶² airstrip, which is able to receive bomber aircraft. Earlier, M23 also showed interest in the smaller Katale airstrip which they still occupied at time of drafting. M23 took measurements of Katale airstrip.

- **FARDC withdrawal prior to RDF arrival and FARDC military logistics left behind**

- FARDC had retreated, without fighting, from their main military camp in Rwindi prior to RDF and M23's arrival. While FARDC retreated towards Kanyabayonga with most of their military supplies, they left some supplies behind, as reported to the Group by several sources on the ground. When M23 arrived in Rwindi, it recovered weapons and ammunition abandoned by FARDC, poorly hidden in a small building with a small locker, including:
 - 28 small arms and light weapons
 - 12 boxes with 12.7 mm ammunition
 - 7 SPG9 bombs
 - 3 bombs 82mm
 - 50 anti-tank grenades
 - 20 bombs (type unknown)
 - 4 boxes of 7.62x39 mm ammunition
 - 5 boxes of 7.62x54 mm ammunition
- General Chiko Tshitambwe ([S/2023/431](#), para. 80), FARDC commander of the Rwindi axis, was called back to Kinshasa on 20 March 2024.

- **MONUSCO FIB challenged position in Rwindi**

- The MONUSCO FIB elements had been deployed in October 2023 in Rwindi as part of operation "Springbok" to block any advance by M23 further north. Documents consulted by the Group corroborated that MONUSCO FIB peacekeepers did not engage with RDF troops on 8 March 2024 when they arrived in Rwindi.
- While MONUSCO was criticized on social media after Rwindi's takeover, the Group notes that the MONUSCO FIB had received orders to use all methods at its disposal to neutralize any sighted M23 elements, including "firing upon armed groups". The orders given, and the actual strength of MONUSCO FIB deployed at blocking positions in Rwindi (400 soldiers and mortar platoon), showed MONUSCO's firm engagement and readiness to stop M23's territorial conquest (see below). However, FARDC troops had already retreated from the area prior to RDF's arrival, leaving the MONUSCO FIB alone facing RDF troops. RDF's overwhelming combat strength reportedly prevented the planned military engagement by MONUSCO and compelled the MONUSCO FIB to leave the positions in Rwindi, as also requested by the FARDC hierarchy.
- RDF, and subsequently M23, occupied Rwindi without any opposition from either FARDC or MONUSCO.

- **Counter-offensive**

- In early April 2024, FARDC launched a counter-offensive to recover lost territories in Rutshuru. On 3 April, exchanges of indirect fire between M23 and FARDC were reported in Rwindi area. Two days later, on 5 April, in the area north of Kibirizi, FARDC clashed with M23/RDF.
- Prior to the counter-offensive, on 10, 16 and 17 March and the week of 18 March 2024, almost 3,000 FARDC had been sent from Goma and Kisangani to Beni, with the objective of reaching Rwindi area through Lubero territory.

⁶² Congolese Institute for Nature Conservation

Annex 30 (para. 43)**RDF division, brigades and battalions, RDF officers, and former FDLR combatants involved in operations in Petit Nord****Division, brigades et bataillons des RDF, officiers des RDF et anciens combattants des FDLR impliqués dans les opérations dans le Petit Nord****1. Additional information on combat support and reconnaissance teams, RDF use of former FDLR combatants, and mobilization of reservists**

- *Combat support and reconnaissance teams and use of former FDLR combatants*

In its previous reports, the Group documented that RDF and M23 were supported by several combat support and reconnaissance teams totaling 250 former FDLR combatants, and operating under the command of the Rwanda Defence Intelligence Department (DID) ([S/2023/990](#), para. 30). These combat support and reconnaissance teams were first formed in April 2023.

The Group documented the continued return to Petit Nord of formerly demobilized ex-FDLR-FOCA in support of M23 and RDF operations. Several ex-FDLR/FOCA individuals interviewed by the Group and/or interviewed by UN sources reported that they had been demobilized in earlier years and repatriated to Rwanda. When repatriated, they were sent to demobilization/training centers, such as the one in Mutobo, Rwanda, managed by the Government of Rwanda, as witnessed by the Group during its visit in Rwanda.⁶³ Demobilised FDLR/FOCA combatants reported that in late 2023 they were called upon by Rwandan authorities and sent to training camps, including in the Mukamira Military base in Rwanda. After the military training, which lasted several weeks, they were sent back to the DRC as members of RDF's reserve force and were actively engaged in search and/or military operations against FDLR/FOCA combatants.

The Expanded Joint Verification Mechanism (EJVM) also documented the case of a former FDLR/FOCA combatant who was demobilized in 2011. In 2023, he was remobilized by Rwandan intelligence to collect information on the cooperation between FARDC/PMC and FDLR/FOCA.⁶⁴

- *Mobilization of reservists*

On 30 December 2023 and 31 January 2024, RDF summoned RDF reservists (former RDF who had retired) to reinforce RDF units deployed in Petit Nord. This mobilization of reservists was reported by several sources, including a retired RDF officer who was mobilized in December 2023. Summoned reservists received a refresher course at the military base of Gabiro, Rwanda, before being sent to the DRC. This summoning resulted in two new battalions totaling 500 RDF being trained in Rwanda and sent to the DRC in January 2024.

2. RDF Division, brigades and battalions, and RDF officers involved in operations in Petit Nord

- RDF troops and officers from the 2nd and 3rd RDF Divisions, RDF Special Forces, the Reserve force (see above), as well as combat support and reconnaissance teams with former FDLR-FOCA combatants (see above), were deployed and conducted operations in Nyiragongo, Rutshuru and Masisi territories (Petit Nord).

- The 3rd Division was commanded by Major-General Eugene Nkubito.⁶⁵

⁶³ Mission to Mutobo, March 2024.

⁶⁴ Confidential documents.

⁶⁵ The Group notes that prior to his appointment as 3rd Division commander, Major-General Nkubito was the overall commander of Rwandan forces in Cabo Delgado province, Mozambique. Major-General Nkubito was replaced by Major-General Alexis Kagame

- RDF special forces were commanded by Lieutenant-Colonel Augustin Ryarasa Migabo (Deputy Special Force Commander) who reported directly to Major-General Ruki Karusisi (Special Force Commander) ([S/2023/431](#), para. 59 and [S/2023/990](#), para 30).
 - RDF combat support and reconnaissance teams have been commanded and/or planned by Major John Nkurunziza (2nd Division intelligence officer), who reported to DID Head of Operations Emmanuel Ruzindana. Lieutenant-Colonel Sam Ruhunga (DID) organized their training (see also below). Lieutenant-Colonel Charles Rutagisha (3rd Division), Lieutenant-Colonel Augustin Ryarasa Migabo and Major Jean Paul Shyaka were also involved in commanding and planning the combat support and reconnaissance teams.
- Deployed RDF troops included members of the 201st, 301st, 405th and 509th Brigades.
 - More specifically, RDF soldiers of the 3rd, 4th, 7th, 19th, 25th, 37th, 41st, 67th and 101st battalions were deployed until at least July 2023.⁶⁶ From October 2023 onwards, RDF soldiers of the 11th, 17th, 31st, 39th and 83rd battalions were deployed in Petit Nord.⁶⁷
 - Following the US-brokered ceasefire (see annex 21), RDF soldiers of the 11th, 17th and 39th battalions retreated to Rwanda. However, in mid-January 2024, new RDF soldiers of the 201st and 305th brigades and special forces were sent to Petit Nord and engaged in operations.
 - The following RDF officers have also commanded operations in Petit Nord in 2023 and/or 2024: Colonel Emery Kayumba (11th battalion), Lieutenant-Colonel Emmanuel Mugabo (71st battalion), Lieutenant-Colonel Alphonse Kigenza (101st battalion), Colonel Rugambwa (201st brigade), Colonel Nelson Rwigema (305th brigade), and Captain Ibrahim Sinzabakwira (special forces).⁶⁸

3. RDF training to M23

- Lieutenant-Colonel Sam Ruhunga (DID) was one of the instructors identified as providing command and leadership training to M23 cadres (see also para. 39).

4. Rwandan officers involved in organizing operations in Petit Nord

- Regarding the design and coordination of the RDF operations in Petit Nord, see [S/2023/431](#), para. 60.

who became the commander of Rwandan troops in Cabo Delgado. The Group notes that Alexis was involved in operations in Kibumba, DRC, in May 2022 ([S/2022/967](#), annex 32). The Group notes that other RDF officers, such as for example Brigadier General Pascal Muhizi, were involved in operations in Petit Nord, DRC and Cabo Delgado, Mozambique.

⁶⁶ These battalions were not all deployed at the same time.

⁶⁷ It is noteworthy that RDF battalions are regularly transferred between divisions depending on operational needs.

⁶⁸ This list is non-exhaustive.

Annex 31 (para. 44)

Governments and the EU calling upon Rwanda to halt support to M23 and withdraw RDF from DRC territory**Appel des gouvernements et l'UE au Rwanda de cesser le soutien au M23 et le retrait du RDF du territoire de la RDC**

On 17 and 20 February 2024 respectively, the United States and France, among other governments, called upon Rwanda to halt all support to M23 and immediately withdraw all RDF personnel from the DRC. On 4 March, the EU High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the European Commission (HR/VP) also issued a statement urging Rwanda to immediately withdraw all its military personnel from the DRC, as well as to terminate support to and cooperation with M23:

- **U.S. Department of State Press Statement on the escalation of hostilities in Eastern DRC, 17 February 2024:**⁶⁹

“The United States strongly condemns the worsening violence in the eastern Democratic Republic of Congo (DRC) caused by the actions of the Rwanda-backed, U.S.- and UN-sanctioned M23 armed group, including its recent incursions into the town of Sake. This escalation has increased the risk to millions of people already exposed to human rights abuses including displacement, deprivation, and attacks. We call on M23 to immediately cease hostilities and withdraw from its current positions around Sake and Goma and in accordance with the Luanda and Nairobi processes. The United States **condemns Rwanda’s support for the M23 armed group and calls on Rwanda to immediately withdraw all Rwanda Defense Force personnel from the DRC and remove its surface-to-air missile systems (Group’s emphasis)**, which threaten the lives of civilians, UN and other regional peacekeepers, humanitarian actors, and commercial flights in eastern DRC.

It is essential that all states respect each other’s sovereignty and territorial integrity and hold accountable all actors for human rights abuses in the conflict in eastern DRC. We call on the government of the DRC to continue to support confidence building measures, including ceasing cooperation with the Democratic Forces for the Liberation of Rwanda (FDLR), an armed group named as a “negative force” by regional bodies and the government of the DRC, and which exposes the civilian population to risk. We continue to support regional diplomatic efforts that promote de-escalation and create the conditions for lasting peace in DRC and we call on all sides to participate constructively in reaching a negotiated solution.”

- **France Diplomatie – RDC: Situation à l’Est du pays, 20 février 2024** .⁷⁰

Original statement in French [English translation below] :

“La France est très préoccupée par la situation dans l’Est du Congo, dans le Nord Kivu et en particulier autour de Goma et de Saké. Les atteintes à l’intégrité territoriale de la RDC et la situation des populations civiles sont inadmissibles. La France condamne la poursuite des offensives du M23 **avec le soutien du Rwanda, et la présence des forces rwandaises sur le territoire congolais (Group’s emphasis)**.

Le M23 doit cesser le combat immédiatement, et se retirer de toutes les zones qu’il occupe, conformément aux décisions prises dans le cadre du processus de Luanda. **Nous appelons le Rwanda à cesser tout soutien au M23 et à se retirer du territoire congolais (Group’s emphasis)**. La France appelle l’ensemble des groupes armés à mettre un terme aux violences. Conformément à leurs engagements, les forces armées de RDC doivent cesser toute collaboration avec les FDLR, mouvement issu des milices ayant commis le génocide perpétré contre les Tutsi au Rwanda en 1994.

La France réitère son plein soutien aux processus régionaux de médiation pour trouver une solution négociée au conflit.”

⁶⁹ Escalation of Hostilities in Eastern Democratic Republic of the Congo - United States Department of State;

⁷⁰ République démocratique du Congo – Situation à l’Est du pays (20.02.24) - Ministère de l’Europe et des Affaires étrangères (diplomatie.gouv.fr)

Unofficial English translation :

"France is very concerned about the situation in eastern Congo, in North Kivu and in particular around Goma and Saké. The attacks on the territorial integrity of the DRC and the situation of the civilian population are unacceptable. France condemns the continuing offensives by the M23 **with the support of Rwanda, and the presence of Rwandan forces on Congolese territory (Group's emphasis)**.

The M23 must stop fighting immediately and withdraw from all the areas it occupies, in accordance with the decisions taken as part of the Luanda process. **We call on Rwanda to cease all support for the M23 and to withdraw from Congolese territory (Group's emphasis)**. France calls on all armed groups to put an end to the violence. In accordance with their commitments, the armed forces of the DRC must cease all collaboration with the FDLR, a movement derived from the militias that committed the genocide against the Tutsis in Rwanda in 1994.

France reiterates its full support for the regional mediation processes aimed at finding a negotiated solution to the conflict."

- **Statement by the HR/VP on behalf of the EU on the escalation of hostilities in the eastern part of the country, 4 March 2024.**⁷¹

"The EU is extremely concerned by the escalation of violence in the east of the Democratic Republic of the Congo (DRC) and the worsening of the humanitarian situation exposing millions of people to human rights abuses including displacement, deprivation, and gender-based violence. The military build-up as well as the use of advanced ground to air missiles and drones is a worrying escalation that further endangers the situation, in particular around Sake and Goma.

The EU reaffirms its steadfast support to the Luanda and Nairobi processes. There is no military solution to this crisis, only a political one: this must be reached through an inclusive dialogue between DRC and Rwanda to address the root causes of conflict, aimed at implementing the decisions taken within the regional peace initiatives and ensuring the respect of the sovereignty, unity and territorial integrity of all the countries in the region. Existing roadmaps must be implemented; existing verification mechanisms must be reactivated.

The EU condemns the latest offensive by M23 and reiterates its strong condemnation of the actions by armed groups in eastern DRC. These groups must cease all hostilities, withdraw from the areas they occupy and disarm in accordance with the decisions taken within the Luanda and Nairobi processes.

The EU underscores the obligation for all States to stop any support to these armed groups. In particular the EU **condemns Rwanda's support for M23 and military presence on Congolese territory. It strongly urges Rwanda to immediately withdraw all its military personnel from the DRC as well as to terminate all support to and cooperation with M23 (Group's emphasis)**. It strongly urges the DRC and all regional players to terminate all support to and cooperation with the FDLR, who have their roots in the genocide against the Tutsi, and any other armed group.

All parties must do their utmost to protect civilians, prevent violations of international law and ensure safe and unhindered access for humanitarian assistance to all those in need immediately and without preconditions.

The EU reiterates in unequivocal terms its condemnation of hate speech and xenophobia, as well as ethnic-based politics. The EU urges all political and civil society actors to contribute to a peace-oriented dialogue and refrain from escalation. The EU calls upon all sides to refrain from confrontational and inflammatory rhetoric including threats of military escalation.

The EU remains committed to support peace, stabilisation and sustainable development of Eastern DRC and the region as a whole. This includes addressing all the root causes of insecurity and regional instability including poor governance and corruption, lack of inclusive institutions, entrenched impunity and abuse of power, and violent competition for

⁷¹ Democratic Republic of the Congo (DRC): Statement by the High Representative on behalf of the EU on the escalation of hostilities in the eastern part of the country - Consilium (europa.eu)

access to and control of land and other natural resources as well as the use of illicit networks for the trafficking of natural resources.

The EU condemns the recent attacks as well as the dis- and misinformation targeting some EU Embassies and MONUSCO. The EU underscores the legal responsibility of all states to protect the security of foreign citizens, as well as of the personnel and assets of diplomatic missions.

The candidate countries North Macedonia, Montenegro, Serbia, Albania, Republic of Moldova, Bosnia and Herzegovina¹ and Georgia, the EFTA countries Iceland, Liechtenstein and Norway, members of the European Economic Area, as well as Armenia align themselves with this statement.”

- **Message of Minister Hadja Lahbib, Minister of Foreign Affairs of Belgium, 7 mars 2024:**⁷²

Original statement in French [English translation below]:

“ Je dénonce et condamne la poursuite des violences a l’est de la RDC et l’impact sur les civils, comme autour de Nyanzale.

Nous appelons le M23 a cesser les hostilités et **le Rwanda a mettre fin a tout soutien au M23 (Group’s emphasis).**

Les forces armées rwandaises doivent se retirer de la RDC (Group’s emphasis).”

Unofficial English translation:

“I denounce and condemn the continuing violence in the east of the DRC and its impact on civilians, as around Nyanzale.

We call on the M23 to cease hostilities **and on Rwanda to end all support for the M23.**

The Rwandan armed forces must withdraw from the DRC (Group’s emphasis).”

⁷² <https://x.com/hadjalahbib/status/1765674042369966471?s=48&t=QtBJqV8EG4vH-D6-PJD9UQ>

Annex 32 (para. 44)**Security Council press statement on the situation in the DRC****Communiqué de presse du Conseil de sécurité sur la situation en RDC**

“The members of the Security Council met on 27 March 2024 to discuss the situation in the Democratic Republic of the Congo. They were briefed by the Special Representative of the Secretary-General in the Democratic Republic of the Congo and Head of MONUSCO, Bintou Keita.

The members of the Security Council strongly condemned the resumption of attacks by the March 23 Movement (M23) in North Kivu and in other areas, worsening security and stability in the region and exacerbating the current dire humanitarian situation. They also condemned all armed groups operating in the country. They demanded the immediate cessation of hostilities and of any further advances by the M23 and its unconditional withdrawal from all occupied areas as agreed through the African Union-endorsed Luanda Process.

The members of the Security Council expressed concern at the number of internally displaced persons in the provinces of Ituri, North Kivu, and South Kivu, and called on all donors to scale up support in response to the 2024 Humanitarian Response Plan. They called on all parties, in particular the M23 and the Congolese armed groups, to allow, in accordance with international law, including applicable international humanitarian law, and consistent with the guiding principles of humanitarian assistance, safe, timely and unhindered humanitarian access to those in need, and to refrain from any violence against civilians.

The members of the Security Council expressed concern about continued violations of international humanitarian law and violations and abuses of human rights, including gender-based violence and sexual violence in conflict, recruitment and use of children. They further expressed concern about the intensification of misinformation and disinformation. They renewed their condemnation of hate speech targeting any community and fueling intercommunal violence. They emphasized the importance of protection of civilians and ensuring accountability for these violations, including sexual violence in conflict and post-conflict situations.

The members of the Security Council **condemned foreign military support provided to M23 and any other armed group operating in DRC (Group’s emphasis)** and demanded the cessation of such support and the immediate withdrawal of any such external party from the DRC. They expressed deep concern at the reports of the Group of Experts on the DRC on foreign military support for M23 and direct military interventions on DRC territory. They also condemned support, notably provided by military forces, to certain armed groups such as the FDLR and demanded the cessation of such support.

The members of the Security Council condemned in the strongest terms recent attacks against MONUSCO, its personnel and its assets, resulting in severe injuries among peacekeepers and wished a speedy and full recovery to those injured. They reiterated their strong support for the active steps taken by MONUSCO to implement its mandate, including targeted offensive operations in the DRC to neutralise armed groups. They requested the Secretary-General, Member States, and the Government of DRC to take all appropriate measures to ensure the safety and security of MONUSCO’s personnel, in line with resolution 2518 (2020), in line with UN guidelines and best practices to improve safety of peacekeepers. They reiterated the importance of enhancing MONUSCO’s local community engagement in its use of strategic communications and stressed the importance of preventing and countering disinformation campaigns and misinformation aimed at undermining the mission’s credibility and hindering the implementation of its mandate.

The members of the Security Council reiterated their support to the gradual, responsible and sustainable withdrawal of MONUSCO. In this regard, they emphasized the importance of enhanced communication among MONUSCO, T/PCCs and DRC authorities in this process. They strongly encouraged DRC authorities to take concrete action, including acceleration of the security sector reform and timely implementation of the *Programme national de désarmement, de démobilisation, de relèvement communautaire et de stabilisation* (P-DDRCS), in accordance with the disengagement plan to avoid any security gaps in South Kivu in order to ensure effective protection of civilians, especially women and children. They reiterated their readiness to consider further steps of this process at the end of this first phase based upon progress towards satisfying the objectives and criteria set out in the disengagement plan and taking into consideration the situation on the ground.

The members of the Security Council called on all parties to maintain diplomatic dialogue and to engage on concrete steps towards de-escalation. They expressed support to all efforts aimed at reaching a cessation of hostilities, and commended in particular the efforts of the president of Angola and Chair of Southern African Development Community (SADC), H.E. João Lourenço, to mediate between DRC and Rwanda through the Luanda Process. They welcomed the meeting between the Foreign Ministers of DRC and Rwanda in Luanda on 21 March and encouraged further progress between the two countries in furtherance of durable peace in the region. They further emphasised the crucial role of regional peace processes, in particular Luanda and Nairobi processes, and their continued support by Angola, MONUSCO, the Office of the Special Envoy for the Great Lakes, and international partners.

The members of the Security Council took note of the African Union Peace and Security Council communiqué adopted after the meeting on the situation in DRC held on 4 March 2024. They also took note of the communiqué of the Extra-Ordinary Summit of the Southern African Development Community (SADC) Organ Troika Plus SADC Troika of 23 March 2024. They acknowledged steps taken to operationalise SAMIDRC and expressed concern at reports regarding the attack on a SAMIDRC base on 27 March. They stressed the importance of protection of civilians and of coordination and information sharing with MONUSCO and the need to carry out all operations in strict compliance with international law, including international humanitarian law and international human rights law, as applicable. They recalled the provisions outlined in resolution 2717 regarding the conditions under which MONUSCO could provide its support to an AU mandated regional force deployed in DRC.

The members of the Security Council reaffirmed their strong commitment to the sovereignty, independence, unity, and territorial integrity of the Democratic Republic of the Congo as well as all States in the region. They reiterated their full support to the Special Representative of the Secretary-General, Bintou Keita, and for the stabilising actions of MONUSCO.”

5 April 2024

Annex 33 (para. 47)

Characteristics of the SHORAD system spotted in Bumbi

Caractéristiques du système SHORAD repéré à Bumbi

- The SHORAD detected in Bumbi included a rotating antenna acquisition radar and surface-to-air missile and was mounted on an armored infantry vehicle.
- By design, the SHORAD system's first mission is "to provide low-altitude protection for armored units against fixed-wing aircraft, helicopters, unmanned aerial vehicles and other airborne threats [...] the system also has an anti-cruise missile capability".⁷³ As shown on the imagery below, the system "consists of eight canister-launched TY-0 infrared homing missiles and two sensor systems mounted on a turret [and] the radar systems include a rotating antenna acquisition radar on top".⁷⁴ The range is between 300 and 6000 meters. Four crew, i.e. one commander, two operators and a driver, man the system.⁷⁵
- Schematic overview of the SHORAD system observed on 7 February 2024:



Source: UAV footage received from UN source

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

- Analysis of the drone imagery shows that (1) the SHORAD system has characteristics virtually identical to the Norinco Type 92 Yitian TL-6; and (2) the SHORAD system was mounted on a vehicle identical to a WMZ-551 6x6 vehicle, both of Chinese manufacture (see below).
- The Group notes that, even if it was confirmed that the SHORAD system and/or the vehicle were of Chinese manufacture, this does not mean that the material was transferred to an armed group in violation of the sanctions regime. Rather, if confirmed, it would imply that the materiel was diverted from its intended legal end-use (see also below).

⁷³ ODIN - OE Data Integration Network (army.mil)

⁷⁴ Ibid.

⁷⁵ Ibid.

- Schematic overview of the Norinco Type 92 Yitian TL-6 and WMZ-551 vehicle



Schematic overview received from UN source

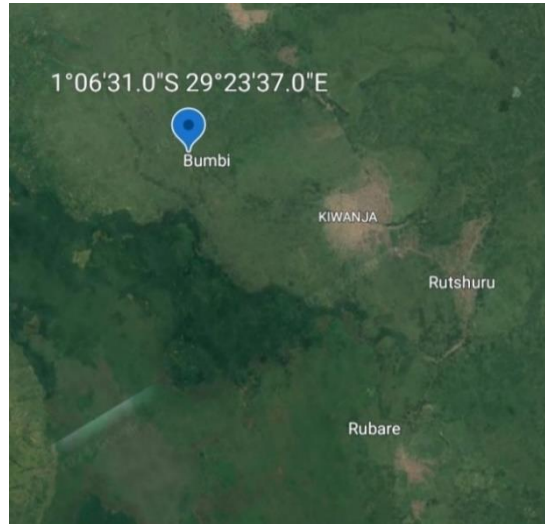
- The Group notes that a representative of the Permanent Mission of the People's Republic of China to the United Nations informed that Group that "after verification by Chinese competent authority, based solely on the information provided [i.e. drone footage] [...], we cannot confirm whether the SHORAD system mentioned [...] is produced in China". It was also stressed that "the Chinese government has all along taken a prudent and responsible attitude towards military exports, rigorously managed the relevant exports in accordance with China's international obligations and domestic regulations, and strictly followed the three principles of arms exports, namely that the exports should be conducive to the legitimate self-defense capability of the recipient country; the exports should not undermine peace, security and stability in the region concerned and the world as a whole; and that the exports should not be used to interfere in the internal affairs of the recipient country".
- The Group sent a request for information to the Government of Rwanda on 12 April 2024 regarding the diversion of military materiel from its intended legal and end-user and/or end-use, including with regards to the SHORAD system. The Government of Rwanda responded on 25 April 2024, dismissing the Group's inquiry in the following terms: "Regarding short-range air defence (SHORAD) systems allegedly identified in Bumbi, Rutshuru Territory, the Government of Rwanda rejects the use of drone imagery from undisclosed sources to give credence to pre-conceived narratives regarding Rwanda's advanced weaponry in DRC. The Government of Rwanda does not attach any credibility or importance to such unverified evidence."

Annex 34 (para. 47)

Drone footage of SHORAD system that failed to strike MONUSCO drone, and picture of SHORAD system in Kitshanga**Images de drone montrant le système SHORAD qui a échoué à frapper un drone de la MONUSCO, et photographie du système SHORAD à Kitshanga.**

Screenshots of drone footage video received from confidential source

- On 7 February 2024, a mobile surface-to-air missile (SAM) was fired at a MONUSCO surveillance drone while the latter was taking footage of that SHORAD system (see screenshot above). One day earlier, the SHORAD system had been detected in a compound controlled by RDF and M23 (1°06'31.0"S, 29°23'37.0"E), close to Bumbi, along the RN2, where the SHORAD system relocated to after the failed strike targeting MONUSCO UAV.
- The SHORAD system fired one missile at the MONUSCO drone on 7 February, as shown by video footage on file with the Secretariat.

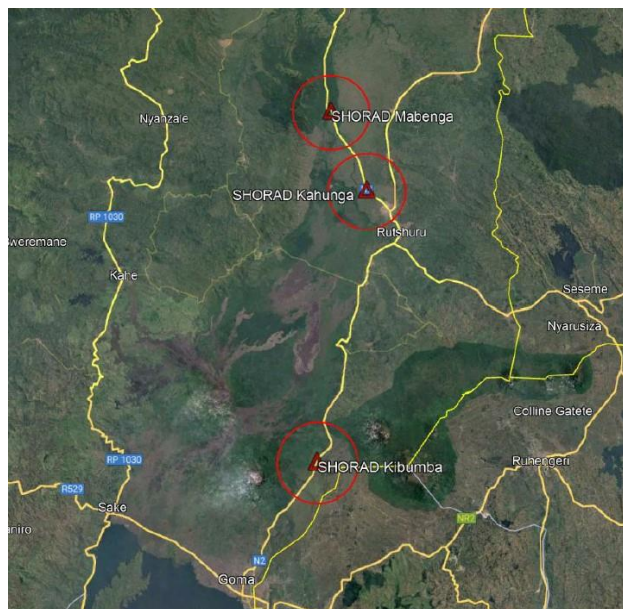


Map indicating the location of the SHORAD system in Bumbi

Map Data: Google, ©2024 Source, Imagery Date: 10042024

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

- During the same period, intelligence, civil society and security sources reported the presence of three SHORAD systems along the RN2 between Kibumba and Mabenga, Rutshuru territory. The locations of the reported presence of SHORAD systems are indicated on the map below. On 12 February 2024, a SHORAD system was photographed in Kitshanga (picture below).



Map indicating the location of SHORAD systems observed along the RN2

Map Data: Google, ©2024 Source, Imagery Date: 10042024

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations



Photograph of a SHORAD system circulating widely on social media

Annex 35 (para. 49)**Anti-air capabilities of M23 and RDF****Capacités anti-aériennes du M23 et des RDF**

Besides anti-aircraft systems, small arms and light weapons continue to pose a major threat to air assets in Petit Nord (see also [S/2022/967](#), annex 15).

As documented by the Group, on 17 June 2022 one FARDC Mi-24 helicopter was shot down and crashed near Kabindi, Rutshuru territory, after having conducted a bombing raid on Tchengerero which was then under M23 control. M23 issued a communiqué only few hours after the crash 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” (see also [S/2022/967](#), annex 15 for further details).

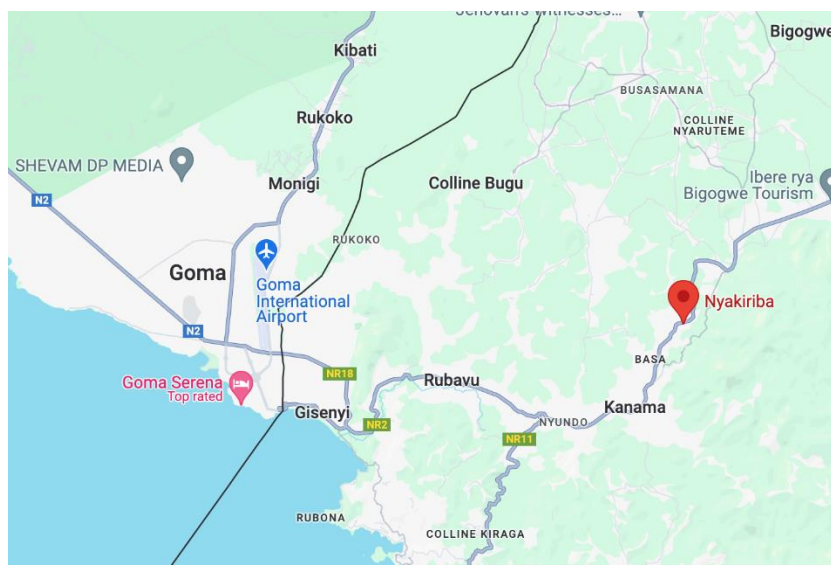
Two months earlier, on 29 March 2022, direct fire originating from a hill under M23 control had also hit a MONUSCO helicopter causing its crash, during which eight peacekeepers were killed (for further details, see [S/2022/479](#), para. 63).

M23 and RDF small arms and light weapons threats to air assets are, amongst others, AK-type assault rifles, RPG’s, PKM’s, SPG-9’s, M-20’s and 14.5 mm AA guns, which remain a significant threat to low flying air assets.

More advanced anti-air capabilities documented in the areas under control of M23 and RDF are man-portable air-defence systems (MANPADS).

The most advanced anti-air capability documented in the areas under control of M23 and RDF are the SHORAD systems.

Eyewitnesses also reported that RDF had installed artillery (25-30 kilometre range) close to the DRC border, including on the road between Gisenyi center and Bralirwa brewery in the hills east of Gisenyi – in direct firing range of Goma International Airport (see map below).



Map indicating [location of the Bralirwa brewery](#)

Map Data: Google, ©2024 Source

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

Annex 36 (para. 50)**Picture of the remnant of a 81mm mortar shell hitting a Sukhoi aircraft on the tarmac at the airport of Goma on 17-18 February 2024****Photo des restes d'un obus de mortier de 81 mm frappant un avion Sukhoi sur le tarmac de l'aéroport de Goma le 17-18 février 2024**

Picture received from FARDC and security sources

As markings on the remnant of the 82 mm mortar shell with fins were not visible, the precise origin of the mortar shell could not be identified. The Group notes that the 82 mm mortar shell has most likely been diverted from its intended legal end-use.

The black collar under the mortar shell corresponds with an anchoring point for a transport and release/drop off by a commercial drone. Elements of the PMC Congo Protection, FARDC and other eyewitnesses reported to have seen and heard a drone when flying. The reported advantage of a drone drop is its precision compared with conventional mortar fire, as well as the complexity to trace the flight direction of the drone.

82 mm mortar shells are documented as being part of the FARDC and RDF arsenal and have also been documented as part of the arsenal of several armed groups active in eastern DRC, including the M23.

The Group notes that the explosions occurred at 2 a.m. at night (17-18 February 2024) when airport activities were low and when no commercial flights were operating. This could eventually show the intent of the perpetrator not to disrupt airport activities on that occasion, and/or to avoid damage to civilian assets.

The Group sent a request for information to the Government of Rwanda on 12 April 2024 regarding the diversion of military materiel from its intended legal and end-user and/or end-use, including with regards to the 81 mm mortar shell dropped by a commercial drone mid-February 2024. The Government of Rwanda responded on 25 April 2024, dismissing the Group's inquiry in the following terms: "the Government of Rwanda does neither have any details on the incident nor does it understand why Rwanda should be asked to explain anything about the presence of different forms of weapons and ammunition in areas that the DRC Government has outrageously weaponized."

Annex 37 (para. 51)

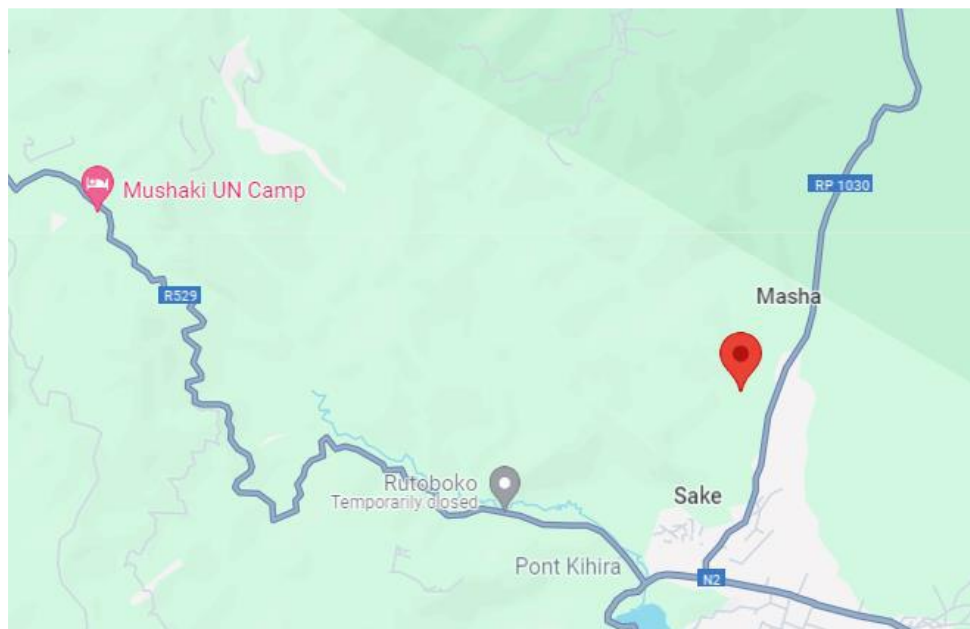
Drone-borne IEDs used by the DRC Republican Guard Regiment Special Unit in Kimoka**Engins explosifs improvisés transportés par drone utilisés par l'unité spéciale du régiment de la garde républicaine de la RDC à Kimoka**

- **Facts and Figures of the attack**

On 12 February 2024, between 11.30 a.m. and 1.00 p.m., three MONUSCO blocking positions in Kimoka (5 km north-west of Sake - see map below), part of operation “Springbok” (see para. 89), were attacked by eight drone-borne IEDs or so-called “kamikaze drones”. Eyewitnesses and analysts reported that the attack with multiple drones was meticulously coordinated. Drone-born IEDs had not been documented in the DRC before that date. The Group notes that drone-borne IED attacks were documented in other conflict areas, including in CAR, Sudan and Ukraine.

The three MONUSCO camps in Kimoka were attacked simultaneously. A total of eight drone-borne IEDs, but also 122 mm rockets and small arms, were used during the attack. According to UN sources, five drone-borne IEDs attacked the Kimoka “Top camp” and three others attacked Kimoka “Spur position”. Six drone-borne IEDs detonated on MONUSCO tents or in their close vicinity. One drone was intercepted and neutralized by the Indian battalion of MONUSCO, while another one remained intact upon impact in Kimoka Top camp, as the charge did not detonate.

After the drone attacks, 122 mm rockets hit the three positions. About 15 minutes later, VDP combatants, some wearing FARDC uniforms, attacked the three positions with small arms and light weapons (SALW). About 25 VDP combatants also entered the Kimoka positions and set the MONUSCO tents on fire.



Map indicating position of the drone-borne IED attacks at Kimoka received from UN source

Map Data: Google, ©2024 Source

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations



Picture received from UN source of one of the damaged MONUSCO tents

- **Elements regarding the perpetrators of the sanctionable attacks against peacekeepers**

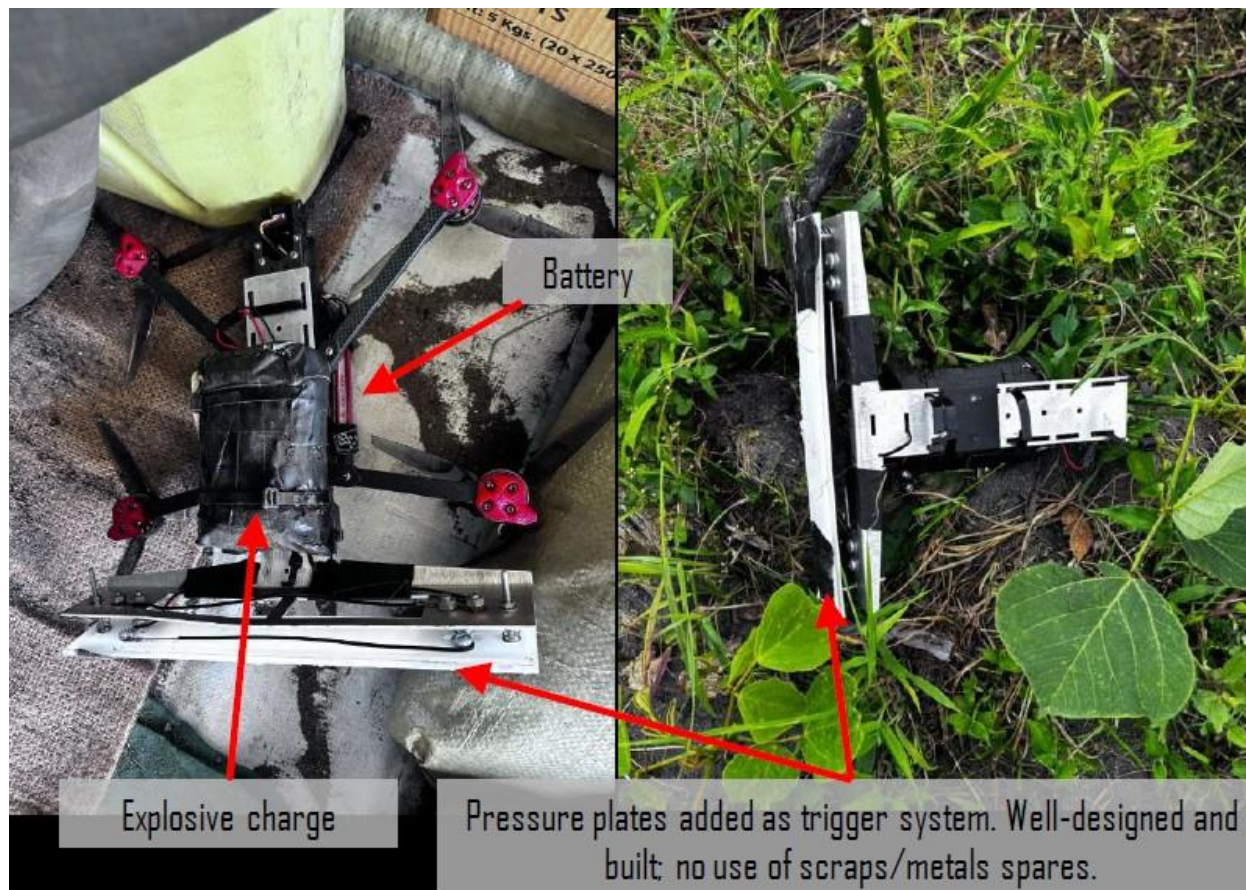
While the FARDC and Republican Guard did not officially claim the 12 February attack, several sources – including FARDC, security and intelligence sources – informed the Group that the drone-borne IEDs were piloted by the Republican Guard Regiment Special Unit, also known as the “Hiboux” (see also [S/2023/990](#), para. 56-58). Other elements also point at the involvement of the Hiboux in conducting the drone-borne IED attack:

- Security sources informed the Group that Congolese Special Forces and the Republican Guard Regiment Special Unit do possess commercial drones and have necessary expertise to modify commercial drones and add explosives;
- Security sources and FARDC reported to the Group that the Republican Guard Regiment Special Unit does have drone-borne IED capacities;
- Several sources informed the Group that a “Hiboux” unit was near Kimoka positions prior to the attack;
- Flight recorder data extracted from one of the recovered drones’ black boxes show that the starting point of one of the drones’ flight paths was located at hills controlled by the FARDC at that time;
- Flight recorded data extracted from one of the drones’ black boxes also geo-located the drone to the Kimbembe camp near Lubumbashi, Haut Katanga province. Kimbembe camp is a Republican Guard training camp.
- The “Hiboux” received training in operating surveillance drones in 2023 in the Kimbembwe camp, also near Lubumbashi.
- The aftermath of the drone-borne IED attack was recorded by a drone piloted by Congo Protection, one of the PMCs in support of the FARDC and the Republican Guard. UN sources reported that a drone surveilling the unfolding attack had indeed been observed.
- General Fall Sikabwe, the commander of FARDC operations in North Kivu, acknowledged the involvement of the Republican Guard in the drone-borne IED attack to several sources of the Group.

The stated objective of the drone-borne IED attack was an act of revenge against the MONUSCO peacekeepers of the Indian contingent, which manned the Kimoka positions, and which the FARDC special forces accused of collaborating with M23 and RDF,⁷⁶ and of being responsible for an earlier attack against the FARDC (see below).

Additional elements regarding the drone-borne IEDs, characteristics and use

The drones used are commercial drones that were modified, as they were equipped with an IED and pressure-plate trigger mechanism. The explosive charge activated upon impact against an object on the ground:



Picture and schematic overview of the drone-borne IED that failed to explode in Kimoka received from confidential source

⁷⁶ FARDC, security, Wazalendo, M23 combatants and confidential sources.

The drone recovered is a IFLIGHT Chimera7 Pro V2 6S which has a maximum range of 18km. The figure below provides the specifics of the drone model:



CHIMERA7 PRO V2 HD 6S DJI (various similar models with different specs)

Range: up to 18 km depending on specific model

Battery: 30 minutes (possible to add extra battery)

Possible to load at least 1kg of extra 'cargo' to the chassis

Speed: Up to 140km/h

GPS system depending on the model

Scheme received from confidential source

Drone-borne IEDs are low-cost and low-tech explosives and provide precision-strike capability. Analysts stated that these drone-borne IEDs are able to target small spaces and can thus typically be used against trenches and bunkers, such as those used against MONUSCO blocking positions.

The Group stresses that these new tactics, techniques and procedures (TTP's) could – if their use is confirmed – significantly alter conflict dynamics in the near future. Notably, cost-risk calculations for the safety and security of UN civilian and military personnel, as well as for FARDC, SAMIDRC troops, other deployments and civilian populations, could be reassessed and reshaped.

Annex 38 (para. 52)

Analysis of the recovered 120 mm guided mortar shells

Analyse des obus de mortier guidé de 120 mm récupérés

- Photo of unexploded 120 mm guided mortar shell recovered in Murambi, close to Mushaki, Masisi territory (picture 1) and a sample photo of a similar, functional 120 mm guided mortar shell (picture 2). See also [S/2023/990](#), annex 18.



Pictures provided by UN source

Type of ammunition: Guided Mortar

Size of ammunition: 120 mm

Condition: UXO

Effect of ammunition: HE or HE-FRAG

Addition: the ammunition contains electrical and electronic components for laser and GPS-measurements

- Photo of the remnants of the 120 mm mortar recovered on 24 October 2023 some 15 metres from the FARDC camp in Kanyamahoro. See also [S/2023/990](#), annex 18.



Pictures provided by confidential source

Type of ammunition: Guided Mortar
 Size of ammunition: 120 mm
 Marking on the base of the drive unit: I.M.I 1-21
 Year of Manufacture: 2021

- The Group notes that both mortar shells are similar to the Israeli “IMI” or “Elbit Systems” (depending on model and year of production)-made “120 mm Guided Mortar Munition”. The type of ammunition could be “DOKRAN” or “STYLET”, and the color pattern might be final-user specific.
- Characteristics of the high-precision 120 mm guided mortar munition, as articulated on the [website](#) of Elbit Systems, are the following:
 - 1 to 9 km range depending on the mortar system
 - Guidance-based GPS
 - First bomb effective without targeting
 - Minimal collateral damage
 - High lethality by enhanced precision and multi-mode (PD/PRX) fuze
 - 5 charge propulsion system
 - Multi target assault with single position
- The Group requested the Government of Israel to provide information regarding when, and to which end-user, it authorized the sale or transfer of the materiel, in particular export details of 120 mm mortar munitions to Rwanda, DRC and Uganda between 2020 and 2024. At time of drafting, the Group had not received a response.

Annex 39 (para. 53)**Imagery confirming the use of 120 mm guided mortars by RDF units****Images confirmant l'utilisation de mortiers guidés de 120 mm par les unités des RDF**

The Group obtained video imagery of RDF units⁷⁷ in Karuba, Masisi territory, firing 120 mm guided mortar shells from their position (RDF position coordinates: 1°34'24" S – 28°59'27" E) towards the south (1°35'27"S – 29°00'46") on 2 February 2024. The RDF units left this position 20 minutes after the shelling, as they were most likely informed about the planned FARDC CH4 drone attack to target their mortar system. The FARDC CH4 drone neutralized the 120 mm mortar on the same day.



Screenshots of a video received from security source and on file with the Secretariat

The Group sent a request for information to the Government of Rwanda on 12 April 2024 regarding the diversion of military materiel from its intended legal and end-user and/or end-use, including with regards to 120 mm mortar shells recovered. The Government of Rwanda responded on 25 April 2024, dismissing the Group's inquiry in the following terms: "While the Government of Rwanda reserves the right to take any necessary measures to defend its territory from attacks such as those indicated above (...) it does not "control hills" in DRC and cannot be held responsible for alleged findings in the indicated areas."

⁷⁷ Security, intelligence and M23 sources confirmed that RDF soldiers manned that specific position in Karuba.

Annex 40 (para. 53)**Use of 120 mm mortars against SADC troops****Utilisation de mortiers de 120 mm contre les troupes de la SADC**

On 27 February 2024, four 120 mm mortar bombs landed in the SAMIDRC camp of the SAMIDRC's South African contingent in Mubambiro, near Sake. One armoured personnel carrier (APC) was destroyed and four South African soldiers were wounded. The suspected mortar position from where the shelling originated was identified by aerial footage on 18 March 2023. The position was manned by RDF soldiers at the hilltop called "Muremure" which overlooked Sake, Mubambiro military camp, Lake Kivu, Shasha and parts of Kalehe.

The MONUSCO base in Sake, as well as the FARDC and SADC positions in Mubambiro, were repeatedly hit by mortar fire in March 2024, resulting in MONUSCO, SAMIDRC and FARDC elements being injured. On 27 February 2024, mortar shelling of Mubambiro center also resulted in 15 civilians being wounded and two others killed (para. 94).

The photo below showed the remnants of one 120 mm mortar recovered on 27 February 2024 at the SAMIDRC camp in Mubambiro. While military analysts refer to the 120 mm mortars as being guided mortars, the Group could not confirm this.



Photo received from UN source



Screenshot of aerial footage of the RDF concealed mortar position on Muremure hill received from UN source

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

On 6 April 2024, SADC troops positioned in Mubambiro, close to Sake, were again attacked with 120 mm mortars. SADC announced that three SAMIDRC soldiers were killed in the attack and three others injured. The Group could not confirm whether the 120 mm mortars were guided.



PRESS RELEASE

Four SADC Mission in the Democratic Republic of Congo (SAMIDRC) soldiers died and three injured in Eastern DRC

08th April, 2024, Gaborone, Botswana: The Southern African Development Community (SADC) Mission in the Democratic Republic of Congo (SAMIDRC) sincerely regrets to inform the public of the passing on of three of its soldiers and three that got injured from the United Republic of Tanzania. This unfortunate incident happened after a hostile mortar round had fallen near the camp they were staying. SAMIDRC hereby also informs the public of the passing on of a South African soldier who died while receiving treatment due to health challenges in a Hospital in Goma, DRC.

The soldiers were/are deployed under the auspices of SADC as part of a regional response to address the unstable and deteriorating security situation prevailing in the Eastern DRC.

The SADC family expresses its heartfelt condolences to the beloved families and the Governments of the Republic of South Africa and United Republic of Tanzania on the irreplaceable loss of the deceased soldiers and, at the same time, wishes the three injured soldiers speedy recovery.

The SAMIDRC remains focused on carrying out its mandate as per the principle of collective self-defence and collective action outlined in the SADC Mutual Defence Pact (2003).

Document received by the Group from SADC
<https://www.sadc.int/media-releases-and-statements>

Annex 41 (para. 53)

The use of guided mortars by Baudoin Ngaruye's M23 unit

L'utilisation de mortiers guidés par l'unité M23 de Baudoin Ngaruye

Captured and surrendered M23 combatants repeatedly reported the use by RDF of 120 mm guided mortars (see above).

Captured and surrendered M23 combatants also described the use of 120 mm guided mortars by M23, including in Mushaki. They reported that the unit of sanctioned individual Baudoin Ngaruye (CDi.019), based in Rumeneti, had several 120 mm guided mortars and a mortar system.

Within Baudoin Ngaruye's unit, the M23 combatant in charge of the 120 mortars was known as "Burora". M23 combatants reported that 120 mm guided mortars were used only for "special operations" such as the one against the FDNB and FARDC based in Mushaki in November 2023 (see para. 82).

The Group recalls that this weapon system is new and expensive; the transport of this system, as well as its storage, is complicated and sensitive, due to its electrical and electronic components; and the use of the weapon system requires extensive training ([S/2023/990](#), annex 18). The Group therefore concludes that M23 was unable to either possess or use this weapon system without external support.

Annex 42 (para. 54)**Additional information on RDF and M23 weaponry****Informations complémentaires sur les FRD et l'armement du M23**

- **Information on M23 and RDF weaponry:** see also [S/2022/479](#), para. 68; [S/2022/967](#), annex 30; [S/2023/431](#), annex 26; [S/2023/990](#), annex 17.
- **The use of 122 mm rockets by RDF and M23 and shelling of Goma neighbourhood:**

On 7 April 2024, at 5.45 am, the Mugunga neighbourhood of Goma was shelled with a 122 mm rocket. Sake town and Mubambiro were also shelled.

The shelling was most likely carried out in reprisal for earlier FARDC and SAMIDRC artillery strikes on M23 and RDF positions located west and northwest of Sake on 6 and 7 April 2024. Two months earlier, another 122 mm rocket also fell in Mugunga neighbourhood which resulted in one civilian killed and two others wounded.

The 7 April shelling originated from a position north of Karuba (1°33'31.36"S-28°59'27.93"E), known to be manned by RDF soldiers and where the presence of a 122 mm rocket launcher was documented on 25 March and 8 April 2024.⁷⁸

Imagery showed that RDF troops, amongst others those observed in Mushaki, were carrying what is likely to be 2 single-tube 122mm rocket launchers on 22 March 2024:



Picture received by the Group from a confidential source

⁷⁸ Confidential document.

On 26 December 2023, RDF troops were carrying what is likely to be a 122mm rocket launcher close to Karuba:



Picture received from confidential source

On 19 March 2024, one 122 mm rocket was fired on on Nzulo (-1.601947°, 29.119027°), Lac vert neighbourhood, close to Goma town (see also paras. 93-98):



Picture received from confidential source

During the takeover by RDF and M23 of Rwindi (see annex 29) in early March 2024, a 122 mm rocket was fired on the FARDC base:



Picture received from confidential source

- **RDF and M23 sniper fire, use of surveillance drones and night-vision goggles**

RDF and M23 operations were generally preceded by commercial drone overflights, allowing them to conduct precise attacks.⁷⁹ RDF also used night-vision binoculars and VHF radios⁸⁰ (see picture below)

The Group also received several reports, including from eyewitnesses, security and intelligence sources, of RDF and/or M23 sniper fire, killing FARDC, armed group combatants and PMC personnel on the ground, but also being used against air assets. For example, two PMC Congo Protection elements were killed on 8 February 2024 by sniper fire. Also, in 2023, suspected M23 or RDF sniper fire killed one crew member of a MONUSCO Oryx utility helicopter and wounded another.

On 8 November 2023, an RDF soldier carrying a precision rifle with telescopic site/scope and marching with other RDF and M23 was seen in Kilolirwe (see picture below). Civil society sources, eyewitnesses and confidential sources had reported the presence of RDF troops in the area. See also [S/2023/990](#), annex 17.

⁷⁹ M23 and RDF sources, UN, FARDC and security sources, eyewitnesses.

⁸⁰ The picture was taken on 25 December 2023, close to an RDF position west of Kilolirwe (1°24'43.63"S-29°01'02.47"E):



Photos received by the Group from a confidential source

- **Additional weaponry observed**

- Mortar bomb container observed on 25 December 2023 close to an RDF position west of Kilolirwe (1°24'43.63"S-29°01'02.47"E):



- SVD Dragunov (sniper rifle) observed on 25 December 2023 close to an RDF position west of Kilolirwe (1°24'43.63"S-29°01'02.47"E):



Pictures obtained by the Group from confidential source

- Anti-tank missile container, observed on 23 December 2023 close to an RDF position west of Kilolirwe (1°24'43.63"S-29°01'02.47"E):



- Multi-rocket launcher (107mm) observed on 31 January 2024 close to an RDF position west of Kilolirwe (1°24'43.63"S-29°01'02.47"E):



Pictures obtained by the Group from confidential source

- 12.7 mm machine gun, observed on 26 December 2023 in Karuba:



- 5.56 x45mm assault rifle, observed on 6 December 2023 on an RDF position north-east of Mushaki (1°30'23.07"S-28°58'56.69"E):



Pictures obtained by the Group from a confidential source

- Possible anti-tank missiles, observed on 27 December 2023 close to an RDF position east of Kilolirwe (1° 24'53.52S-29°01'30.63)



Picture obtained by the Group from a confidential source

Annex 43 (para. 61)

Letter signed by Guidon Shimiray Mwiswa as VDP “commander”

Lettre signée par Guidon Shimiray Mwiswa en tant que « commandant » des VDP

In the letter dated 12 February 2024 (see below), sanctioned NDC-R/Guidon leader and “the commander of the VDP”, Guidon Shimiray Mwiswa, called for the general mobilization to defend the country [excerpt with translation by the Group]:

“[...] our country is threatened, under attack and in danger of unprecedented balkanization. It's now or never that the fatherland needs the involvement of everyone, anyone and everyone animated by the spirit of patriotism. That's why, as Commander of the Patriotes résistants et Volontaires pour la défense de la Patire (VDP), I'm calling for the general mobilization of all young people in the DRC, wherever they may be [...]”



Document received from civil society source

Guidon Shimiray Mwisa has been part of VDP's leadership since its creation ([S/2023/990](#), annexes 23-25) and has remained in close contact with FARDC leadership ([S/2023/990](#), annex 25).⁸¹ The Group notes that in April 2024, Guidon was transported by an FARDC helicopter with PMC Agemira crew, to his headquarters after he had returned from Kinshasa, where he attended the meeting with Wazalendo armed groups organized at the Presidency's request (see para. 69).



Screenshot of video received from Wazalendo source

⁸¹ FARDC, security and VDP sources and government officials.

Annex 44 (para. 61)

On 7 December 2023, Jules Mulumba, VDP Spokesperson, met with President Felix Tshisekedi in Kinshasa

Le 7 décembre 2023, Jules Mulumba, le porte-parole des VDP, a été reçu en audience par le Président Felix Tshisekedi à Kinshasa



Picture circulated on social media

Annex 45 (para. 62)**Examples of VDP attacks to recapture areas controlled by M23 and RDF****Exemples d'attaques des VDP pour reprendre les zones contrôlées par M23 et RDF**

VDP and M23/RDF often clashed in Nyaragongo, Rutshuru and Masisi territories since the armed confrontation resumed in late December 2023.

For example, from January to March 2024, the VDP as well as other Wazalendo combatants were mobilized by the FARDC to defend strategic towns such as Sake in Masisi territory and to thwart M23 and RDF progress towards South Kivu (see also paras. 62, 71 and 83).

In February and March 2024, the VDP also launched several attacks in Bindja, Kansiru and Nyazale, Kihondo *groupements*, Rutshuru territory, with the intention of recovering some villages controlled by M23 and RDF. In March 2024, during a mission of the Group in Sake and Mubambiro, many VDP combatants carrying weapons and wearing uniforms, including FARDC uniforms, reported to be engaged in fighting M23 positions on the Sake-Minova road.

Also, in March 2024, VDP clashed with M23 around Kitshanga, Bashali Mokonto *groupements*, Masisi territory. In early March, VDP combatants attacked M23-RDF positions on the Mbushi hills in Mweso. Around the same period, VDP and FDLR-FOCA were involved in combats around Rwindi, Bambo and Katsiru, Rutshuru territory.

VDP combatants, other Wazalendo combatants, FARDC and security sources informed the Group that VDP combatants and other Wazalendo combatants were often engaged at frontline positions while FARDC troops were at more backward positions. This resulted in many VDP and other Wazalendo combatants having been killed during clashes, as also corroborated by photographs on file with the Group.

Whereas the VDP has been successful in stopping M23 and RDF advances towards South Kivu, Sake and Goma, VDP attacks to recover M23- and RDF-controlled areas were rather unsuccessful given RDF's and M23 superior combat strength (see also paras. 32 and 40-54).

Annex 46 (para. 64)**Arms, logistics, training, and cash money provided to the VDP armed groups fighting in Petit Nord against the M23 and RDF****Armement, munitions, entrainement et argent liquide fourni aux groupes armés VDP actifs dans le Petit Nord contre le M23 et les RDF**

The FARDC continued to provide arms, logistics and cash to VDP leaders and combatants (see also [S/2023/990](#), para. 39 and annex 25, and [S/2023/431](#), paras. 79-84), in violation of the arms embargo and the asset freeze.

VDP armed groups were regularly requested to identify their needs in terms of armament and logistics and submit them to FARDC authorities. For example, in early January 2024, at the request of the military authorities, VDP armed groups submitted detailed lists of logistics and military equipment they needed. These lists (see one reflecting the request made by CMC/FDP below), consulted by the Group, were given to the office of the Military Governor of North Kivu and included boxes of ammunition, mortars and rockets, which the FARDC Etat-Major provided to the VDP.⁸²

- Cartouches 7.62x39 : 100 caisses
 - 7.62x54 mm : 88 caisses
 - 12.7mm : 52 caisses
 - Roq 40 mm : 14 mm
 - ATK : 17 caisses
 - Gren casto multiples : 10 caisses
 - Mor 60mm :17 caisses
 - Mr 82 mm= 10 caisses
 - Fait a Goma le 3 février 2024 ; du CMC/FD &
 ANCDH
 pour ProGouv Mil.
 Et par ordre, col. Semasaka Sadiki, Admin Log
 CMC/FDP

Transcript from a confidential document seen by the Group

The Group notes that at least two VDP armed groups, APCLS and CMC/FDP, were given surveillance drones which they operated in their areas. VDP combatants tasked with piloting the surveillance drones were trained by the FARDC for that purpose, with the support of the PMCs.⁸³

VDP and government sources reported that \$2,000 in cash money was distributed to each of the 48 VDP leaders who travelled to Kinshasa on 8 April 2024 at President Tshisekedi's request (see para. 69).

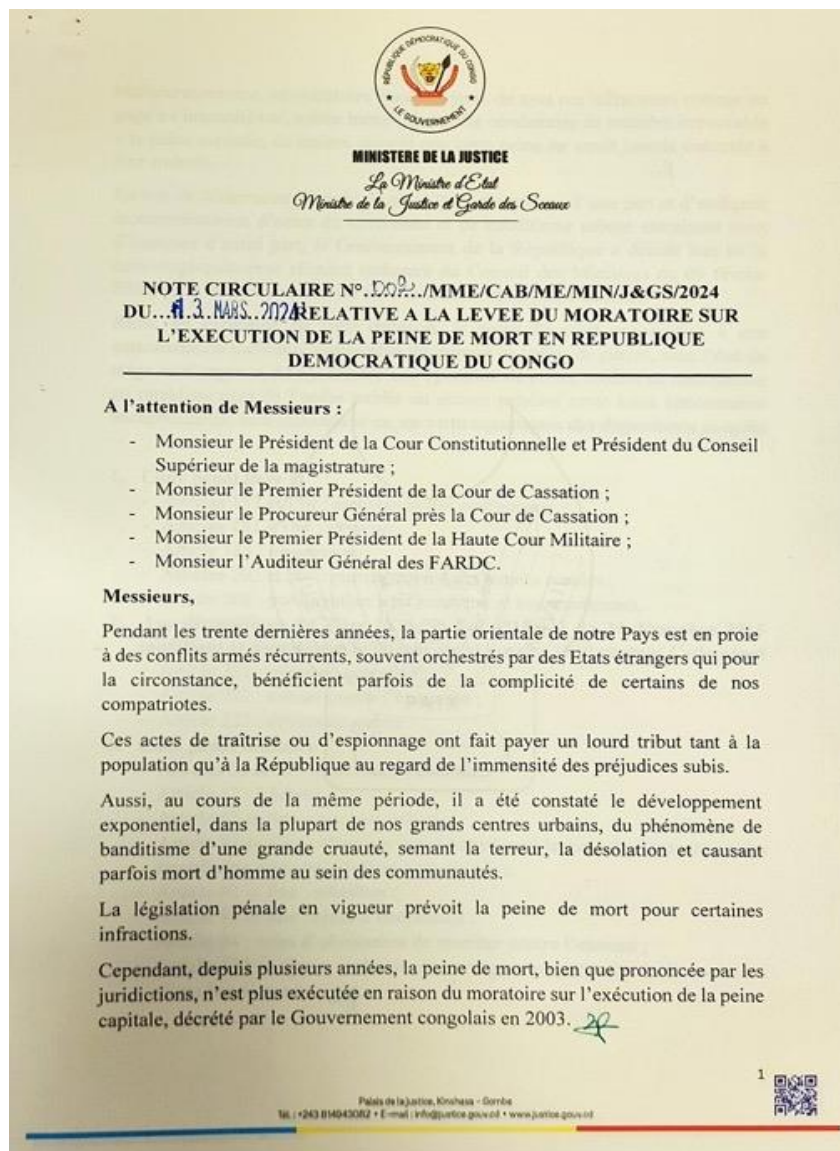
⁸² VDP combatants and leaders, FARDC, security and intelligence sources.

⁸³ Security sources, VDP leaders and combatants, eyewitnesses.

Annex 47 (para.65)

Lifting of the moratorium on the execution of death penalty sentences

Levée du moratoire sur l'exécution des condamnations à la peine de mort



Suite

Malheureusement, ce moratoire était aux yeux de tous ces infracteurs comme un gage à l'impunité car, même lorsqu'ils ont été condamnés de manière irrévocable à la peine capitale, ils étaient assurés que cette peine ne serait jamais exécutée à leur endroit.

En vue de débarrasser l'armée de notre Pays des traîtres d'une part et d'endiguer la recrudescence d'actes de terrorisme et de banditisme urbain entraînant mort d'hommes d'autre part, le Gouvernement de la République a décidé lors de la cent-vingt-quatrième réunion ordinaire du Conseil des Ministres du 09 février 2024, de la levée du moratoire sur l'exécution de la peine de mort.

Ainsi, en exécution de cette décision, la peine de mort consécutive à une condamnation judiciaire irrévocable intervenue en temps de guerre, sous l'état de siège ou d'urgence, à l'occasion d'une opération de police tendant au maintien ou au rétablissement de l'ordre public ou encore pendant toute autre circonstance exceptionnelle, sera exécutée et ce, en vertu notamment des dispositions ci-après :

1. Code pénal livre II

- Articles 157 et 158 : association des malfaiteurs ;
- Articles 181 à 184 : trahison ;
- Article 185 : espionnage ;
- Articles 202 et 204 : participation à des bandes armées ;
- Article 208 : participation à un mouvement insurrectionnel.

2. Les dispositions du Titre IX de la Loi n°15/022 du 31 décembre 2015 modifiant et complétant le Décret du 30 janvier 1940 portant Code pénal

- Article 221 : crime de génocide ;
- Article 222 : crimes contre l'humanité ;
- Article 223 : crimes de guerre.

3. Code pénal militaire

- Articles 50 et 51 : désertion à l'ennemi ;
- Article 57 : Lâcheté ;
- Article 62 in fine : complot militaire ;
- Article 91 in fine : rébellion ayant occasionné la mort de l'autorité contre laquelle les actes de rébellion sont dirigés ;
- Article 92 in fine : rébellion ;
- Article 93 in fine : refus d'obéissance ;
- Article 94 : refus d'obéissance de marcher contre l'ennemi ;
- Article 113 in fine : violation de consignes en présence de l'ennemi ou d'une bande armée ;

2



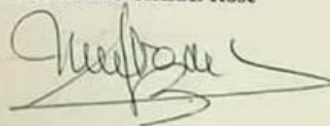
Suite

- Article 114 : abstention volontaire par un Commandant d'unité de remplir une mission relative à des opérations de guerre dont il a été chargé ;
- Article 117 in fine : abandon de poste ou violation de consigne ;
- Article 121 : abandon de poste en présence de l'ennemi ou bande armée ;
- Article 128 : trahison en temps de guerre ;
- Article 129 : espionnage ;
- Article 133 in fine : sabotage commis dans le but de servir les intérêts d'une puissance étrangère ;
- Article 137 in fine : participation à un mouvement insurrectionnel lorsque les insurgés sont porteurs d'armes ;
- Article 138 : participation à un mouvement insurrectionnel en s'emparant d'armes, des munitions, des substances explosives ou dangereuses ou en procurant aux insurgés des armes, munitions ou des substances explosives ou dangereuses ;
- Article 139 : direction, organisation et commandement d'un mouvement insurrectionnel ;
- Article 158 in fine : acte de terrorisme ayant entraîné mort d'homme ;
- Article 190 : enrôlement par l'ennemi ou ses agents ;
- Article 202 : vol, détournement et destruction méchante.

Le Procureur Général près la Cour de Cassation et l'Auditeur Général des Forces Armées de la République Démocratique du Congo sont chargés, chacun en ce qui le concerne, d'assurer une large diffusion de la présente auprès des Offices sous leurs ordres.

Fait à Kinshasa, le 13 MARS 2024

MUTOMBO KIESE Rose



3



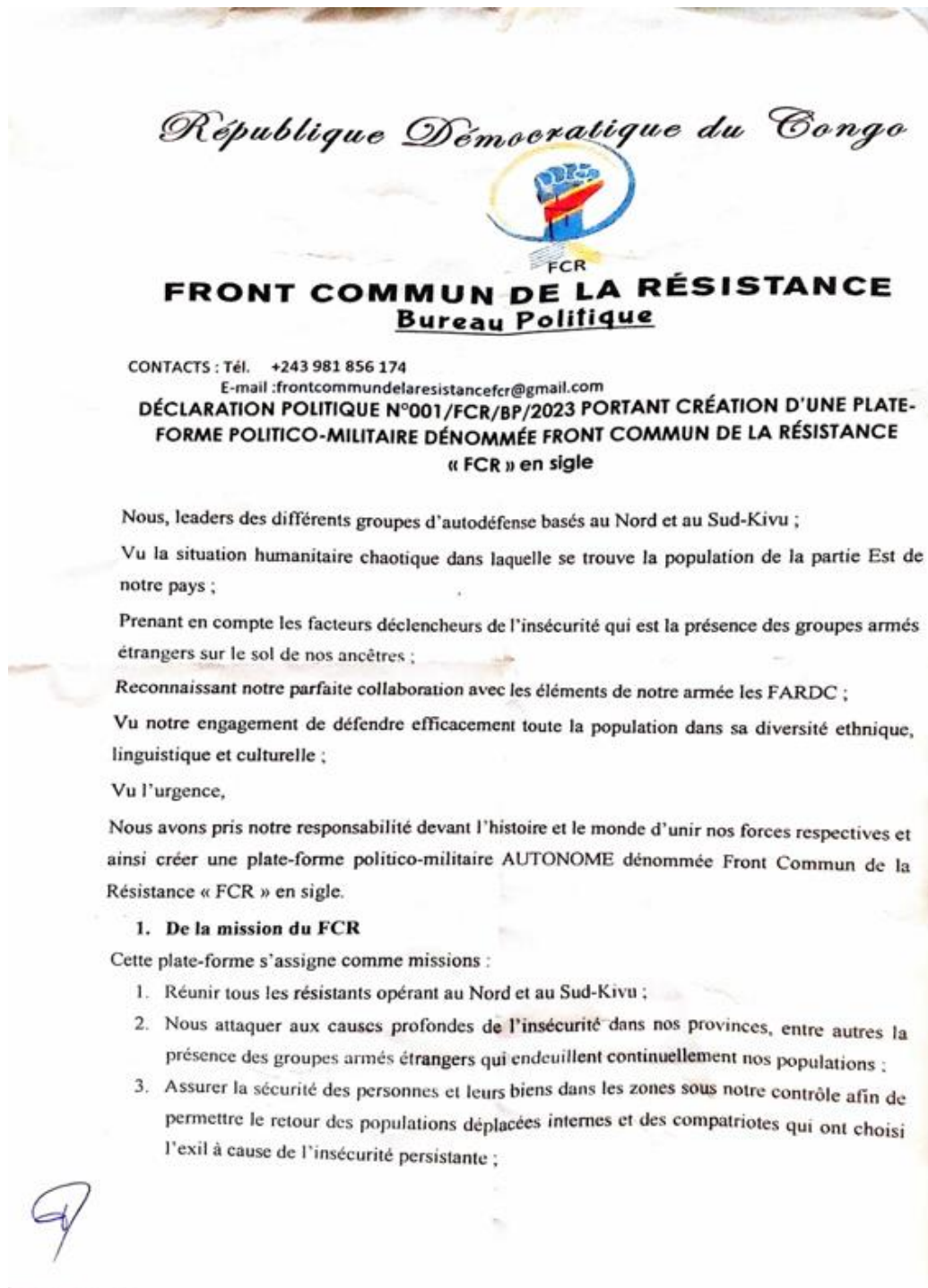
Document received from FARDC source

Annex 48 (para. 68)

Communiqué of the Front Commun de la Résistance (FCR) of 29 December 2023

Communiqué of the Front Commun de la Résistance (FCR) du 29 décembre 2023

The Group notes that in this communiqué, the FCR stress their “perfect collaboration with the FARDC”.



4. Œuvrer pour la cohabitation pacifique des populations ;
5. Combattre les discours de haines et encourager les projets d'intérêt général.

2. Des organes du FCR

1. Le Bureau politique ;
2. Le haut commandement militaire ;
3. Le secrétariat exécutif.

Ainsi, appelons toutes les forces de la résistance de se joindre à nous afin de barrer route aux ennemis de la paix.

Fait à Hewani, ce vendredi 29 décembre 2023

Les membres fondateurs

1. FPP/AP
2. NDC-R/M
3. MPA
4. CMC/FAPC
5. Mai Mai KIFUAFUA
6. R.M HAMAKOMBO



Document provided by armed group source

Annex 49 (para.69)

VDP and Wazalendo meeting with the Government on 8 April 2024

Rencontre entre le Gouvernement et les VDP/Wazalendole 8 avril 2024

On 8 April 2024, 48 armed groups leaders from South Kivu, North Kivu and Ituri, including sanctioned individual Guidon Shimiray and one leader of the sanctioned armed group FDLR, travelled to Kinshasa at President Tshisekedi's request. On 10 April 2024, a preparatory meeting gathered these armed group leaders and representatives and Government officials including Mwindo Nzangi (Minister of Education), Crispin Bindul, (Member of Parliament) and Jules Mulumba (VDP Spokesperson and Liaison Officer).

During that meeting, Government officials told the armed group leaders and representatives that there was pressure on the Government to dissociate itself from the Wazalendo. Government officials added however that this was not their intention and advised the armed groups to protect the FDLR as Wazalendo's ally on the battleground.

A follow-up meeting took place on 16 April 2024 between armed group leaders and Jean-Pierre Bemba (Vice-Prime Minister and Minister of Defence), General Padiri (Reserve Defense Force's national coordinator), Jacquemain Shabani (advisor to the President) and Kahumbu Mandungu Bula, known as Kao (advisor to the President). The Government representatives and advisors to the President reiterated (1) the need for the Wazalendo to remain mobilized as the ongoing war could last and to continue mobilizing "young" recruits; and (2) the need to remain united and not fight other VDP or Wazalendo groups.

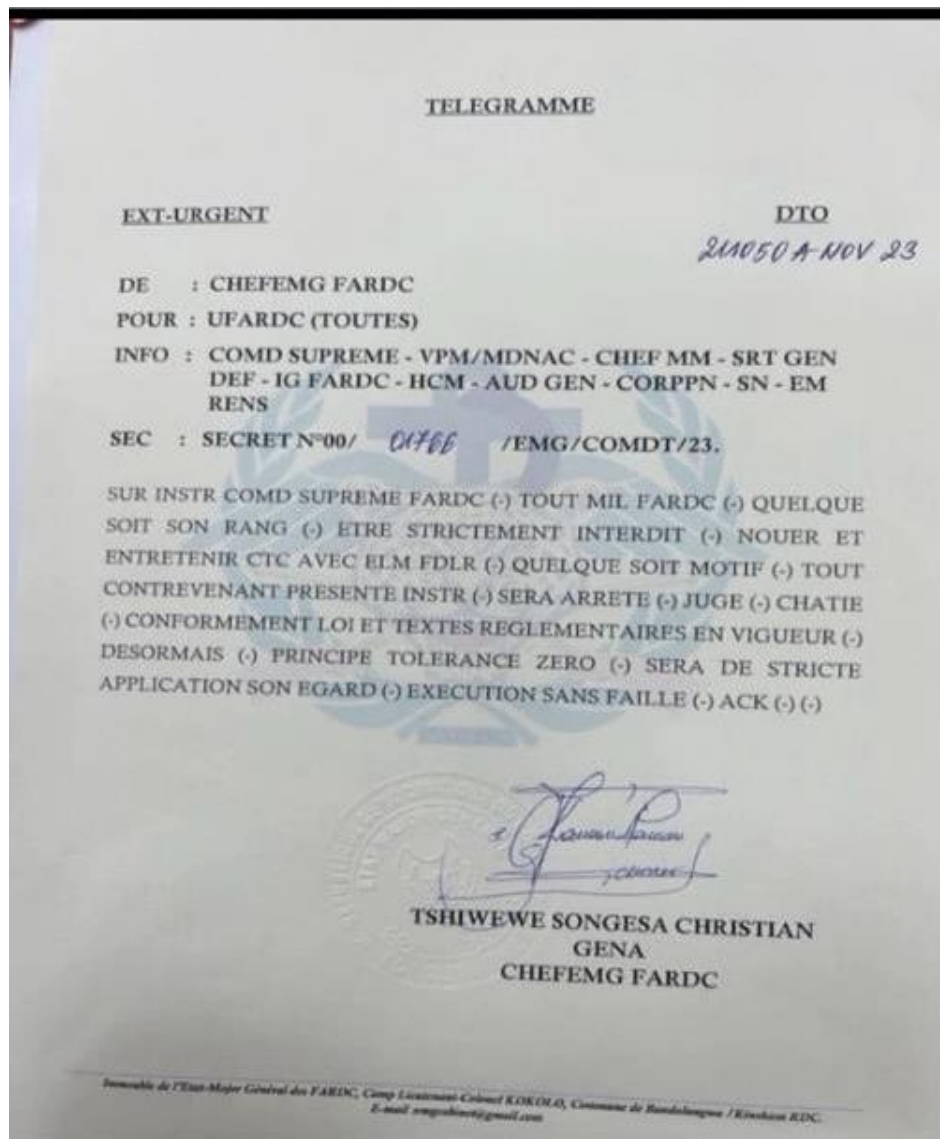
The Government representatives and advisors to the President also told the armed group leaders during that 16 April meeting that at the end of the conflict, they could join the RAD through the Disarmament, Demobilization, Community Recovery and Stabilization Program (PDDRCS). Armed group leaders were thus requested to prepare the list of their combatants for the RAD and PDDRCS processes. Furthermore, the authorities explained to the armed group leaders that while their demands for positions within FARDC would be examined, they should not be too ambitious. A joint RAD-PDDRCS team would be set up to manage the process, and the Government would mobilise the resources.

Finally, armed groups were advised not to target MONUSCO and SAMIDRC as they were the Government's partners.

Annex 50 (para. 70)

FARDC Chief of Staff's instructions banning collaboration with the FDLR

Les instructions du Chef d'Etat Major des FARDC interdisant toute collaboration avec le FDLR



Document received from FARDC source

Arrest of General Bruno Mpezo following the instruction to halt collaboration with the FDLR

On 30 December 2023, General-Major Bruno Mpezo, Commander of the 34th Military Region, was arrested, reportedly because he collaborated with FDLR/FOCA. However, sources with knowledge of the matter casted doubts over these allegations and claimed that he had in fact been arrested on suspicion of corruption. The official announcement that he was arrested because of his collaboration with the FDLR was driven by the DRC authorities' desire to prove that they really planned to end FARDC-FDLR collaboration.⁸⁴ However, the Group obtained extensive information attesting to the continued FARDC-FDLR collaboration.

⁸⁴ FARDC, security and government sources.



Document received from FARDC source

Annex 51 (para. 74)**FDLR-FOCA Leadership****Les dirigeants de FDLR-FOCA**

- Ad interim President of the political wing: “general” Victor Byiringiro (alias Rumuri, alias Rumuli)
- Military wing of the FDLR/FOCA: “major-general” Pacifique Ntawunguka (alias Omega Israel)
- Secretary-General: “brigadier general” Sibomana Stany (alias Gakwerere)
- Defence commissioner: “general” Hakizimana Apollinaire (alias Amikwe Lepi, alias Poète)
- Military spokesperson: “lieutenant-colonel” Sacramento Mahongue
- Political spokesperson: Cure Ngoma
- G2 (military intelligence): “general” Nyembo
- G3 (operations): “colonel” Parker
- Liaison officer: Fidele Sebagenzi

Annex 52 (para.80)

Update on the national defence reserve force (RAD)

Mise à jour de la force de réserve de la défense nationale (RAD)

The national Defence Reserve Force (RAD) remained in its conceptual phase at time of drafting ([S/2023/990](#), paras. 41-42). On 4 December 2023, a presidential ordinance appointed Lieutenant-General David Padiri Bulenda and Major-General Janvier Mayanga, respectively, as the national coordinator and deputy national coordinator in charge of planning and intelligence for the RAD. Brigadier-General Emery Godas Nsumpa was also appointed with the responsibility of coordinating recruitment, mobilisation and logistics.

Many VDP combatants and leaders saw these appointments as a step toward the conversion of the VDP into the RAD. While they were convinced that all, including sanctioned individual Guidon Shimiray, would be offered official positions,⁸⁵ as reportedly promised in exchange for their support in fighting M23 and RDF, Government officials told the Group that perpetrators of human rights and IHL violations would be excluded through a vetting procedure.

⁸⁵ Combatants, civil society and FARDC sources, researchers.

Annex 53 (para. 81)

Additional information on the covert FDNB deployment and analysis of the minutes of the FARDC-FDNB meetings

Informations supplémentaires sur le déploiement secret de la FDNB et analyse des procès-verbaux des réunions FARDC-FDNB

- **FDNB covert deployment**

FDNB covert deployment was agreed upon following a bilateral DRC-Burundi agreement to jointly combat M23 and RDF ([S/2023/990](#), paras.43-46). While this covert deployment outside the scope of the East African Community Regional Force (EACRF) was initially denied by both DRC military headquarters and the Government of Burundi,⁸⁶ a confidential FARDC-FDNB document of November 2023 stipulated that one FDNB brigade intended to be deployed in South Kivu had instead been sent to North Kivu “given the M23/RDF aggression”. The same document also confirmed that FDNB troops were provided with FARDC uniforms, as reported by the Group in its previous report ([S/2023/990](#), para. 43), and that joint operations were “successfully carried out”. Covert FDNB deployment was confirmed by multiple sources.⁸⁷

- **FARDC-FDNB meetings in June and November 2023 providing additional information on covert FDNB deployment**

A meeting of FARDC and FDNB military experts was held in Goma on 29 and 30 November 2023 to evaluate past joint FARDC-FDNB operations and plan future ones (“Task Force Joint Operations”- TaFOC-CB”). The meeting was led by FARDC Lieutenant-General Sikabwe Fall and FDNB Major-General Sibomana Ignace, who opened the meeting referring to the “joint and historical past of the DRC and Burundi”.

The minutes of the meeting (see below) referred to an earlier meeting of the FARDC and FDNB Chiefs of Staff held in Bujumbura on 30 June 2023 during which the deployment of two FDNB brigades in South Kivu “with extension to North Kivu” was decided.

The same document also states that given “the M23/RDF aggression”, one of the two brigades intended for the deployment in South Kivu had been switched to North Kivu, and that “TaFOC-CB received weapons, ammunition, FARDC uniforms [...]” thus confirming that FDNB troops were allocated with FARDC uniforms (see also [S/2023/990](#), para. 43).⁸⁸

The November 2023 document states that “regarding TaFOC North Kivu, thanks to joint planning, an operation [i.e. FDNB-FARDC; not EACRF] to halt the M23/RDF enemy advance towards Rusayo and Sake was successfully carried out”.

The headquarters of TaFOC-CB North Kivu was established in Mubambiro, close to Sake in Masisi territory.

The document also stated that BURCON/EACRF had been compelled by M23/RDF to withdraw from its area of deployment in Kilolirwe-Kitchanga-Mweso, and reorganized in Mushaki, and that EACRF, scheduled to depart the DRC on 8 December 2023, could “grant certain facilities to M23/RDF in order to justify its [i.e. EACRF] importance”.

The document referred to the TaFOC-CB being reconfigured into TaFOC (i.e. “Task Force Opérations Conjointes”).

Several recommendations in the document clarified the objectives of TaFOC and mandate/tasks assigned to FDNB, i.e.:

- Send two new FDNB battalions to TaFOC North Kivu;

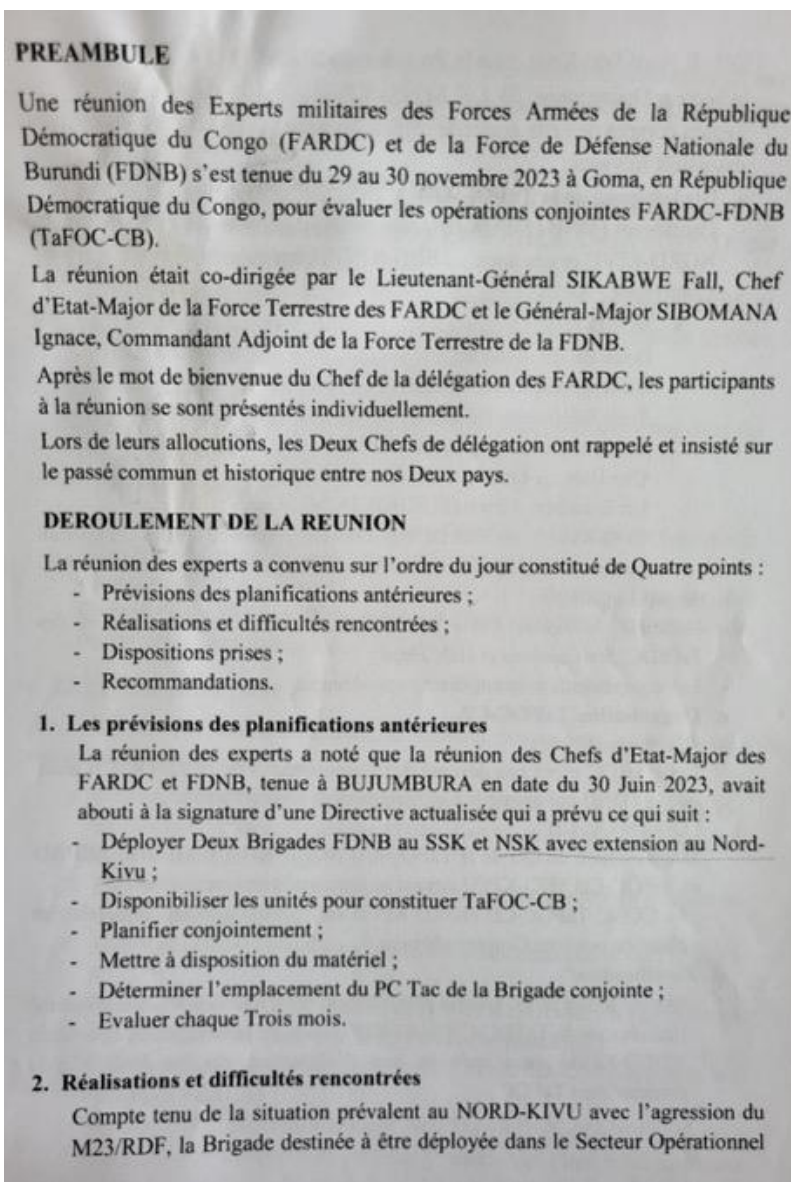
⁸⁶ Burundi acknowledged to the Group that FDNB troops were deployed in North-Kivu in February 2024 following a bilateral DRC-Burundi agreement. However, the Group documented the presence of bilaterally deployed FDNB troops in North Kivu since early October 2023, as documented in [S/2023/990](#), paras.43-46.

⁸⁷ FARDC, security, intelligence and civil society sources, eyewitnesses and researchers.

⁸⁸ FARDC, security, intelligence and civil society sources, eyewitnesses and researchers.

- Take all necessary measures by TaFOC North Kivu following the planned departure of EACRF;
- Focus the main effort on the northern axis (Rwindi-Mabenga) with an offensive operation, and contain the enemy on the southern axis with a firm defence, possibly followed by local offensive actions;
- Rehabilitate the Bukavu-Goma road;

Multiple sources – namely FARDC, intelligence, security, civil society, UN and eyewitnesses – confirmed the continued covert deployment of FDNB in November and early December 2023, as described in the Group’s midterm report dated 30 December 2023 ([S/2023/990](#), paras.43-46).



SKL II Nord Sud-Kivu dans la Province du SUD-KIVU a été basculée dans le Secteur Opérationnel SKL II NORD-KIVU.

Tenant compte de cette nouvelle réalité, les experts ont observé les éléments essentiels suivants :

a. Déploiement de la TaFOC-CB

- Contingent FDNB : DEUX Brigades ont été déployées dont une Brigade au NORD-KIVU et une autre au SUD-KIVU, bien qu'insuffisantes.
- Contingent FARDC :
 - NORD-KIVU :
 - Deux Bn Inf Avancée ;
 - Un Régiment Force Spéciale ;
 - Trois Régiments Inf Couv ;
 - Une Batterie lance-roquette BM21 ;
 - Une Batterie Obusier 122 mm ;
 - Un Escadron Aérien (SUKHOI 25, MI24...).
 - SUD-KIVU : les FARDC ont connu un problème d'effectifs suite au prélèvement au profit du NORD-KIVU qui nécessite d'être comblé.

b. Appui Logistique

- Dotation : la TaFOC-CB a bénéficié des armes, munitions, tenues des FARDC, Six Camions et Huit Jeeps ;
- Les équipements à reconstituer : voir Annexe.

c. Organisation TaFOC-CB.

- Commandement :

Les FARDC n'ont pas désigné des Commandants de la TaFOC-CB alors que la FDNB qui assure le Commandement second l'a faite ;
- QG TaFOC-CB
Etablissement du QG de la TaFOC-CB NORD-KIVU à MUMBAMBIRO et TaFOC-CB SUD-KIVU devant se faire après reconnaissance.
- Le CCOC TaFOC-CB NORD-KIVU est opérationnel depuis la mise en place du nouveau Commandement.

d. Planification.

- Depuis Juillet 2023, aucune planification conjointe ni opération n'ont été réalisées par la TaFOC-CB SUD-KIVU suite au prélèvement au profit du NORD-KIVU ainsi qu'à la non désignation, par les FARDC, du commandant TaFOC ;

- Pour la TaFOC NORD-KIVU, grâce à une planification conjointe, une opération pour stopper la progression ennemie M23/RDF vers RUSAYO et SAKE a été menée avec succès.

e. EACRF.

- Le BURCON/EACRF a été contraint par le M23/RDF de quitter son secteur de déploiement de KILOLIRWE-KITCHANGA-MWESO pour se retrouver à MUSHAKI ;
- Au 08 Décembre 2023, l'EACRF peut ou ne pas quitter la RDC. Il existe ainsi un risque que ladite Force puisse accorder certaines facilités au M23/RDF afin de justifier son importance.

f. Menace au processus électoral.

L'ennemi M23/RDF pourrait perturber la tenue des élections dans les environs de GOMA.

3. DISPOSITIONS PRISES

- Reconfiguration de la TaFOC-CB en Task Force Opérations Conjointes (TaFOC) par rapport aux nouveaux acteurs en présence ;
- Ajustement du Commandement TaFOC qui relève désormais des Commandants Régions Militaires des FARDC, secondés par chacun des responsables des Contingents de la TaFOC ;

4. RECOMMANDATIONS

Aux vues des difficultés constatées, la réunion des experts a formulé des recommandations suivantes :

- a. Envoyer au moins une nouvelle Brigade FARDC au sein de la TaFOC SUD-KIVU et Trois Bataillons FDNB dont Un à la TaFOC SUD-KIVU et Deux à la TaFOC NORD-KIVU ;
- b. Prendre en compte les besoins logistiques urgents, exprimés en Annexe, dans un bref délai ;
- c. Mettre en place et opérationnaliser le Commandement de la TaFOC SUD-KIVU ;
- d. Mettre en place le CCOC au sein de la TaFOC SUD-KIVU (les Officiers d'Etat-Major dont Rens, Ops et Log en seront membres) ;
- e. Prendre toutes les dispositions par la TaFOC NORD-KIVU face au départ ou non de l'EACRF ;
- f. Mettre l'effort principal sur l'axe NORD (RWINDI-MABENGA) avec une opération offensive et contenir l'ennemi sur l'axe SUD avec une

défense ferme qui pourrait éventuellement être suivi par des actions offensives locales ;

- g. Réhabiliter la route BUKAVU-GOMA ;
- h. Réhabiliter le Centre d'Entraînement de LUBERIZI pour accueillir les éléments TaFOC pour la mise en condition opérationnelle ;
- i. Accélérer la réhabilitation de l'aéroport de KAVUMU ;
- j. Prendre contact avec le Commandant EACRF afin de retourner à leur base de MUMBAMBIRO les éléments du BURCON/EACRF présentement à MUSHAKI ;
- k. Respecter le chronogramme des rencontres d'évaluation tel que défini dans la Directive opérationnelle conjointe à savoir :
 - Niveau stratégique : trimestriellement ou à la demande d'une partie ;
 - Niveau opératif : après 45 jours ou en cas de nécessité ;
 - Niveau tactique : après 15 jours ou selon l'évolution des opérations.

CONCLUSION

Afin de s'adapter à la réalité suite à l'intégration d'autres acteurs, la TaFOC-CB a été reconfiguré en TaFOC. Ainsi, la TaFOC est subdivisée en Deux entités, la TaFOC NORD-KIVU et la TaFOC SUD-KIVU. La structure de la TaFOC NORD-KIVU est opérationnelle depuis le 08 Novembre 2023 ; alors que celle de la TaFOC SUD-KIVU le sera à dater de la première quinzaine du mois de Décembre.

Fait à Goma, le 30 Novembre 2023

POUR LES FORCES ARMEES DE LA
REPUBLIQUE DEMOCRATIQUE DU
CONGO

Lieutenant-Général
SIKABWE ASINDA Fall

POUR LA FORCE DE DEFENSE
NATIONALE DU BURUNDI

Général-Major
SIBOMANA Ignace

Document received from confidential source

Annex 54 (para. 82)

FDNB EACRF troops' withdrawal from Kitchanga, Mweso and Kilolirwe, and arrest of FDNB troops in Burundi

Retrait des troupes de FDNB EACRF de Kitchanga, Mweso et Kilolirwe, et arrestation des troupes des FDNB au Burundi

On 8 November 2023, the Burundian troops of EACRF withdrew from their bases in Kitchanga, Mweso and Kilolirwe, towards Busumba and Lushebere, Masisi territory.

On 9 November 2023, a total of 526 FDNB soldiers were transported by air (2 flights) from Goma to Burundi. Eyewitnesses also reported the transport by boat from Goma to Bukavu of several hundreds of FDNB in mid-November 2023, from where they continued to Burundi. Other FDNB previously deployed in North Kivu were seen in Kamanyola, on the road between Bukavu and Bujumbura, Burundi, in November 2023.

On 9 November 2023, the FDNB spokesperson, Floribert Biyereke, stated in a communiqué (see copy below) that “for some time now, clashes between the M23 and other armed groups have been resuming in several locations in North Kivu in the DRC”, and that the fighting “is having a negative impact on the execution of EACRF's mandate”. He stated that “on October 21, 2023, the convoy of the Burundian contingent of the EACRF carrying supplies to Kitchanga and Mweso was refused passage by the M23, who blocked the road leading to these two towns. The same thing happened again on October 30, 2023, when a convoy of the same contingent heading for the same positions was blocked by the same M23 elements. The EACRF commander was called in to resolve the matter but was unable to bring the M23 to its senses.” Several sources confirmed FDNB's discontent with EACRF's management and constant M23/RDF pressure against them (see also below).

Floribert Biyereke announced that “this situation cannot continue. The Burundian contingent deployed as part of the EACRF is obliged to take appropriate action”, i.e., the withdrawal of FDNB troops. The communiqué concludes as follows: “despite the above-mentioned challenges, the FDNB reminds the command of the Burundian contingent of the EACRF to scrupulously follow the orders of the EACRF command”.

The FDNB withdrawal was the first EACRF contingent withdrawn since EACRF's deployment in the DRC in late 2022.

FDNB's withdrawal occurred in a context of repeated M23/RDF attacks against the Burundian contingent, which resulted in the killing and kidnapping of FDNB soldiers, as also reported in the Group's last report ([S/2023/990](#), annex 27). In this regard, combatants of the Wazalendo armed groups, ex-M23 combatants, security sources and researchers reported to the Group that FDNB were often the first in line on the frontlines.

Several sources, including in Burundi, informed the Group that between 300 and 500 FDNB, as part of EACRF, were imprisoned upon arrival in Burundi, on charges of desertion. At time of drafting, many were reportedly still held in Cibitoke prison.

REPUBLIQUE DU BURUNDI

Bujumbura, le 09 novembre 2023



FORCE DE DEFENSE NATIONALE
DU BURUNDI
ETAT MAJOR GENERAL

COMMUNIQUE DE PRESSE

1. Depuis un certain temps, des affrontements entre le M23 et les autres groupes armés ont repris dans plusieurs localités du Nord Kivu en République Démocratique du Congo.
2. Ces combats affectent le vécu quotidien des populations vivant dans les localités touchées et ont de fâcheuses répercussions sur l'exécution du mandat de la Force Régionale de la Communauté Est Africaine.
3. Ainsi, en date du 21 octobre 2023, le convoi du contingent burundais de la Force Régionale de la Communauté Est Africaine qui acheminait le ravitaillement en vivres à KITCHANGA et MWESO s'est vu refuser le passage par le M23 qui a bloqué la voie de communication menant à ces deux localités. Le même fait s'est reproduit le 30 octobre 2023 quand un convoi du même contingent qui se dirigeait vers les mêmes positions a été bloqué en cours de route par les mêmes éléments du M23. Le commandement de la Force Régionale de la Communauté Est Africaine a été saisi pour résoudre cette question mais n'a pas pu ramener à la raison le M23.
4. La FDNB fait savoir que cette situation ne peut pas perdurer. Le contingent burundais déployé dans le cadre de la Force Régionale de la Communauté Est Africaine est obligé de prendre des mesures qui s'imposent.
5. Malgré les défis ci-haut cités, la FDNB rappelle au commandement du contingent burundais de la Force Régionale de la Communauté Est Africaine de suivre scrupuleusement les ordres du commandement de la Force Régionale de la Communauté Est Africaine.

Floribert BIYEREKE
Colonel
Porte-parole de la FDNB



Document obtained from FARDC source

Annex 55 (para. 83)

Additional information on FDNB deployments from December 2023 onwards, and FDNB command
Informations complémentaires sur les déploiements de FDNB à partir de décembre 2023 et sur le commandement des FDNB

- FARDC, security and intelligence sources informed the Group on the following transports – by air and by boat – of FDNB troops from Burundi to Goma, and from Goma to Minova:
 - 17 December 2023: Flight from Burundi to Goma with 241 FDNB troops
 - 18 January 2024: Transport by boat from Bukavu to Goma of 90 FDNB troops
 - 3 February 2024: Flight (Iliouchine fixed-wing aircraft) from Burundi to Goma with 340 FDNB troops
 - 3 February 2024: Transport by boat (“Espérance”) from Goma to Minova of an unknown number of FDNB troops
 - 5 February 2024: Transport by boat from Goma to Minova of 250 FDNB troops
 - 7 February 2024: Transport by boat (“Anglebert”) from Goma to Minova of unknown number of FDNB troops
 - 7 February 2024: Flight (Iliouchine fixed-wing aircraft) from Burundi to Goma with 349 FDNB troops
 - 12 February 2024: Flight (M30 helicopter) from Burundi to Goma with 21 FDNB troops

The Group also obtained a list of 614 soldiers of the FDNB from the 9th TaFOC battalion, deployed around Sake, Masisi territory, and in Minova in South Kivu. The order for their deployment (see below), signed by FDNB General Prime Nyiongabo, was signed on 2 February 2024. The Group also observed several trucks transporting FDNB soldiers in Goma in January and March 2024.

According to information received by the Group, most of the FDNB sent to the DRC to fight the RDF and M23 were deployed to Minova, on the border between South Kivu and North Kivu, to carry out operations in North Kivu. Other FDNB units were deployed in and around Sake, and in Goma.

Brigadier General Elie Ndizigiye, formerly a member of the EAC Verification Mechanism (EAC-MVM), was the commander of the FDNB's North Kivu operations within the TaFOC at time of drafting. This was acknowledged by Burundian authorities. According to the Group's information, General Ndizigiye had also been the commander of FDNB's covertly deployed troops (i.e. FDNB troops deployed bilaterally in parallel to FDNB-EACRF troops).⁸⁹

The TaFOC North Kivu headquarters were based in Mubambiro, near Sake, in Masisi territory.

⁸⁹ Security, FARDC and intelligence sources.

REPUBLIQUE DU BURUNDI



FORCE DE DEFENSE NATIONALE
DU BURUNDI
ETAT MAJOR GENERAL

Bujumbura, le 02 Févr. 2024

N° 308/01.19.0

Objet: Ordre de Bataille du 9Bn TAFOC

Au: Comd FT

Info: MDNAC
Bn QG

Je vous transmets en annexe à la présente l'Ordre de Bataille du 9Bn TAFOC.

4DIV

Le Chef de la Force de Défense
Nationale du Burundi

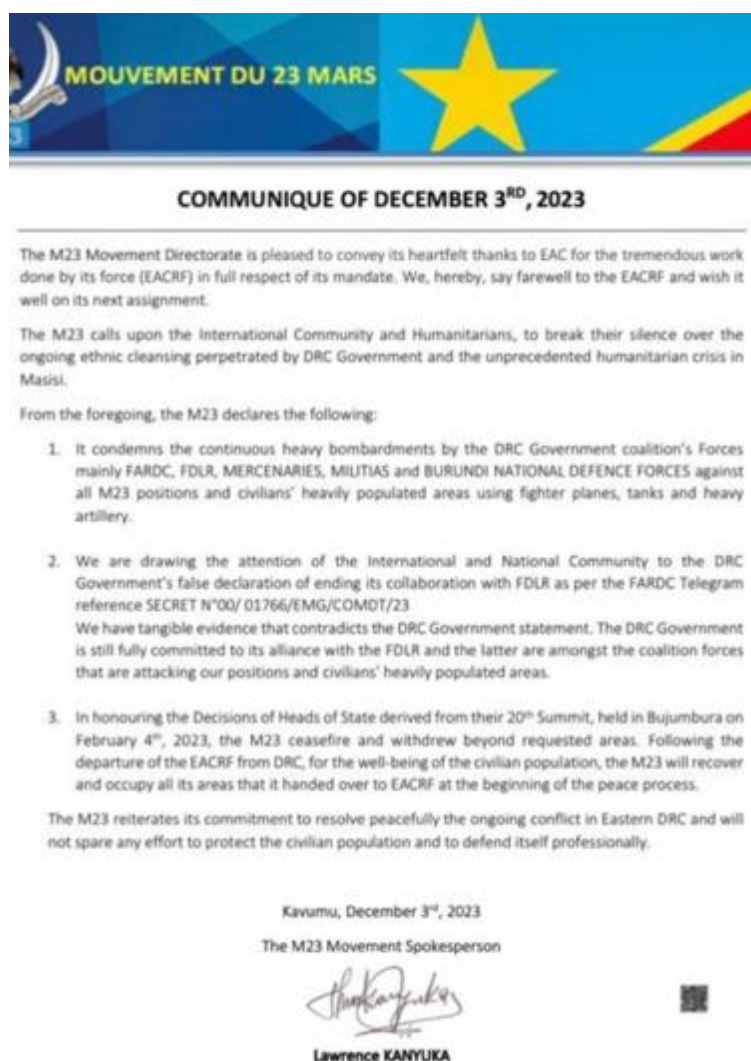
Prime NIYONGABO
Général

Document obtained from security source

Annex 56 (para. 85)

Examples of M23 communiqués identifying FDNB, alongside FARDC, FDLR and PMC, as its enemy, and additional information in FDNB killed or captured by M23**Exemples de communiqués du M23 désignant les FDNB, aux côtés des FARDC, des FDLR et des PMC, comme son ennemi, et informations complémentaires sur les FDNB tuées ou capturées par le M23.**

In a communiqué of 3 December 2023, Lawrence Kanyuka, M23 political spokesperson, conveyed “its heartfelt thanks to EAC for the tremendous work done by its force (EACRF) in full respect of its mandate” and simultaneously condemned the heavy bombardment by the DRC Government coalition’s Forces, “mainly FARDC, FDL, mercenaries, militias and Burundi national defence forces”:



Document received from M23 source

On 29 December 2023, M23 “President” Bertrand Biwimwa, claimed that “the FDNB joined the FARDC-led coalition of local and foreign armed groups, including the FDLR, which is seeking to uproot Congolese Tutsis under the pretext

of fighting the M23. Since October 2023, the FARDC-led coalition has launched attacks against the M23 but has lost territory, while several FDNB soldiers have been killed or captured by the M23.”⁹⁰

On 19 January 2023, Lawrence Kanyuka, M23 political spokesperson, stated that “the coalition forces of the Kinshasa regime, in particular the FARDC, FDLR, mercenaries, militias, Burundi's national defence forces and SADC forces, are continually massacring the civilian population in Masisi”,⁹¹ thus counting the FDNB and SADC troops as adversaries.

The Group also obtained additional information indicating that during the operations, a significant number of FDNB - deployed as part of the EAC Regional Force and/or under the DRC-Burundi bilateral agreement - were killed or captured by the M23. For example, late January 2024, around 70 FDNB were killed by M23 and RDF around Sake-Minova. On 4 February 2024, the bodies of several FDNB killed by M23 and RDF were transported by boat between Goma and Bukavu, and then by road between Bukavu and Bujumbura.⁹²

Several of the captured FDNB soldiers were still imprisoned by M23 in Rutshuru at time of drafting (see also [S/2023/990](#), annex 27).

⁹⁰ Bertrand Bisimwa sur X : "President Ndayishimiye is looking an excuse to continue his massacres against Congolese tutsi in DRC. On 29 Dec 23, President Évariste Ndayishimiye accused Rwanda of supporting and training the rebels of RED-Tabara he accused of killing elderly people, pregnant women, and... <https://t.co/HVktLQsXkI>" / X (twitter.com)

⁹¹ <https://twitter.com/LawrenceKanyuka/status/1750042492416704626>

⁹² Intelligence, security and FARDC sources.

Annex 57 (para. 88)

SAMIDRC deployment and operations

Déploiement et opérations de SAMIDRC

SAMIDRC deployment commenced in December 2023. In January 2024, the first SAMIDRC troops were deployed in and around Goma. On 13 February 2024, the South African Government announced the deployment within the SAMIDRC framework of an additional 2,900 troops for one year.⁹³ Malawi and Tanzania also contributed troops to SAMIDRC. At time of drafting, SAMIDRC had not reach its full deployment capacity, neither in manpower nor logistics. The full deployment of the initial 5,000 SAMIDRC troops was delayed due to difficulties in mobilizing resources, uncertainties regarding SAMIDRC's operationalization, and formulation of rules of engagement.⁹⁴

The Government of Rwanda firmly opposed the deployment of SAMIDRC. In early March 2024, Rwandan authorities sent letters to both the African Union (AU) and the United Nations Security Council raising concerns over the international community's support to the deployment (see below). However, the AU endorsed and supported the SADC mission.

RDF and M23, in anticipation of the SADC troop deployments and reinforcements, escalated their attacks and accelerated their territorial expansion. This, in turn, prompted SAMIDRC's first active engagement on 15 February 2024, as M23 and RDF captured the hills around Sake and reportedly planned to also take Sake. Similar to MONUSCO a few days earlier, SAMIDRC faced M23 and RDF mortar attacks and suffered casualties (see below). M23 and RDF shelling of SAMIDRC positions was ongoing at time of drafting.

⁹³ <https://www.sanews.gov.za/south-africa/sa-deploys-2900-troops-eastern-drc>

⁹⁴ Researchers and diplomats.

Mandate of Southern African Development Community Mission in the DRC (SAMIDRC):**SADC MISSION IN THE DEMOCRATIC REPUBLIC OF CONGO
(SAMIDRC)****Mandate**

1. **NOTING** the record of the meeting of the Extraordinary Organ Troika Summit plus SADC Troika and SADC Troop Contributing Countries (TCCs) to the Force Intervention Brigade (FIB) of MONUSCO and the Democratic Republic of Congo (DRC) held in Windhoek, Republic of Namibia on 8th May 2023 on the security situation in the DRC, noted, *inter alia*:
 - (a) with great concern about the security situation prevailing in the Eastern DRC as presented by the Government of the DRC; and
 - (b) the immediate need for SADC regional support to DRC ahead of the upcoming national elections scheduled for December 2023.

2. **FURTHER NOTING THAT** the Extra-Ordinary Organ Troika Summit plus SADC Troika and SADC Troop Contributing Countries (TCCs) to the Force Intervention Brigade (FIB) of MONUSCO and the Democratic Republic of Congo (DRC), at the same meeting referred to in Paragraph 1 above:
 - (a) condemned the upsurge of conflicts and activities of the M23 rebels and other armed groups and support provided by foreign aggressors in the DRC;
 - (b) reiterated its call for an immediate cessation of hostilities by all armed groups and unconditional withdrawal from current occupied areas.

3. **NOTING** the record of the Extra-Ordinary Organ Troika Summit Plus SADC Troika, SADC Troop Contributing Countries (TCCs) to the Force Intervention Brigade (FIB) of MONUSCO and SADC Mission to Mozambique (SAMIM) at its meeting held virtually on 11 July 2023.

4. **FURTHER NOTING** the need to restore peace and security to prevent unnecessary loss of lives and properties as well as displacement of civilian population in the Eastern DRC to make DRC and the SADC region at large stable from instability for social-economic development.

5. **ACTING PURSUANT TO:**
 - (i) Articles 2 (1) and (2) a), f) and h) and 11 (1) a) and (3) e) of the Protocol on Politics, Defence and Security Cooperation, 2001;
 - (ii) Article 4 (f) of the Memorandum of Understanding Amongst SADC Member States on the Establishment of the SADC Standby Brigade, 2007;
 - (iii) Guideline 16 (f) of the SADC Standby Force Operational Guidelines;
 - (iv) Article 6 (1), (2), and (3) of the SADC Mutual Defence Pact, 2003;
 - (v) Article 4 (h) and (o) of the Constitutive Act of the African Union, and;
 - (vi) Article 42 of Chapter VII of the United Nations Charter, 1945.

6. **RECOGNISING THAT** the Extra-Ordinary Organ Troika Summit plus SADC Troika and Force Intervention Brigade Troop (FIB) Contributing Countries (TCCs) and the DRC, at their meeting referred to in Paragraph 1 above, approved the deployment of a brigade size (+) force with critical air and artillery support capabilities, logistical support (road transport capabilities, repair and recovery capabilities, casualties/medical evacuation (CASEVAC/MEDEVAC)), Intelligence acquisition means and Quick Reaction Force in support of the DRC.

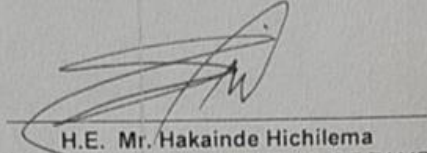
7. **RECOGNISING ALSO THAT** the Extra-Ordinary Organ Troika Summit Plus SADC Troika, SADC Troop Contributing Countries (TCCs) to the Force Intervention Brigade (FIB) of MONUSCO and SADC Mission to Mozambique (SAMIM) at the meeting referred to in Paragraph 3 above approved the Mandate and other legal instruments for the deployment of SAMIDRC.

8. **The 43rd Summit of the SADC Heads of State and Government held in Luanda, the Republic of Angola on 17 August 2023:**
 - (i) **Welcomed** the recommendations of the Extra-Ordinary Organ Troika Summit plus SADC Troika and Force Intervention Brigade (FIB) Troop Contributing Countries (TCCs) and the DRC at the meeting referred to in Paragraph 1 above;

- (ii) **Noted** the recommendations and approvals made by the Extra-Ordinary Organ Troika Summit Plus SADC Troika, SADC Troop Contributing Countries (TCCs) to the Force Intervention Brigade (FIB) of MONUSCO and SADC Mission to Mozambique (SAMIM) at its meeting referred to in Paragraph 3 above; and
- (iii) **Endorsed** the deployment of the SADC Mission in DRC (SAMIDRC), for an initial period of twelve (12) months, subject to extension for further periods depending on the evolution of the security situation on the ground following an assessment, consisting of Brigade (+) force with critical maritime, air and artillery support capabilities, logistical support (road transport capabilities, repair and recovery capabilities, casualties/medical evacuation (CASEVAC/MEDEVAC)), Intelligence acquisition means and Quick Reaction Force in support of the DRC, under scenario 6 of the SADC Standby Force, with the mandate to:
- (a) support the Democratic Republic of Congo to neutralize negative forces and armed groups in the Eastern DRC in order to restore and maintain peace and security to create a secure environment;
 - (b) support FARDC by providing logistic, land, air and maritime assistance in order to enhance its military operational capabilities;
 - (c) provide support to the efforts of the Government of the Democratic Republic of Congo to continue creating a conducive environment for humanitarian assistance and providing humanitarian relief to the population affected by the military and paramilitary activities in the Eastern DRC, including the internally displaced persons;
 - (d) protect critical infrastructure in the Eastern DRC, and
 - (e) protect civilians and their properties under imminent threat of attacks.
9. The Troops Contributing Countries shall provide military personnel and equipment following the required capabilities.
10. Two (2) months before the expiry of the initial deployment period, an assessment shall be conducted to advise the Mission leadership/ the Special Representative of the Chairperson of the Organ through the Executive Secretary of SADC on the need to extend/review the mission mandate duration, if deemed necessary.

IN WITNESS WHEREOF, I, the undersigned, duly authorised by Summit, have signed this SADC Mission Mandate to deploy.

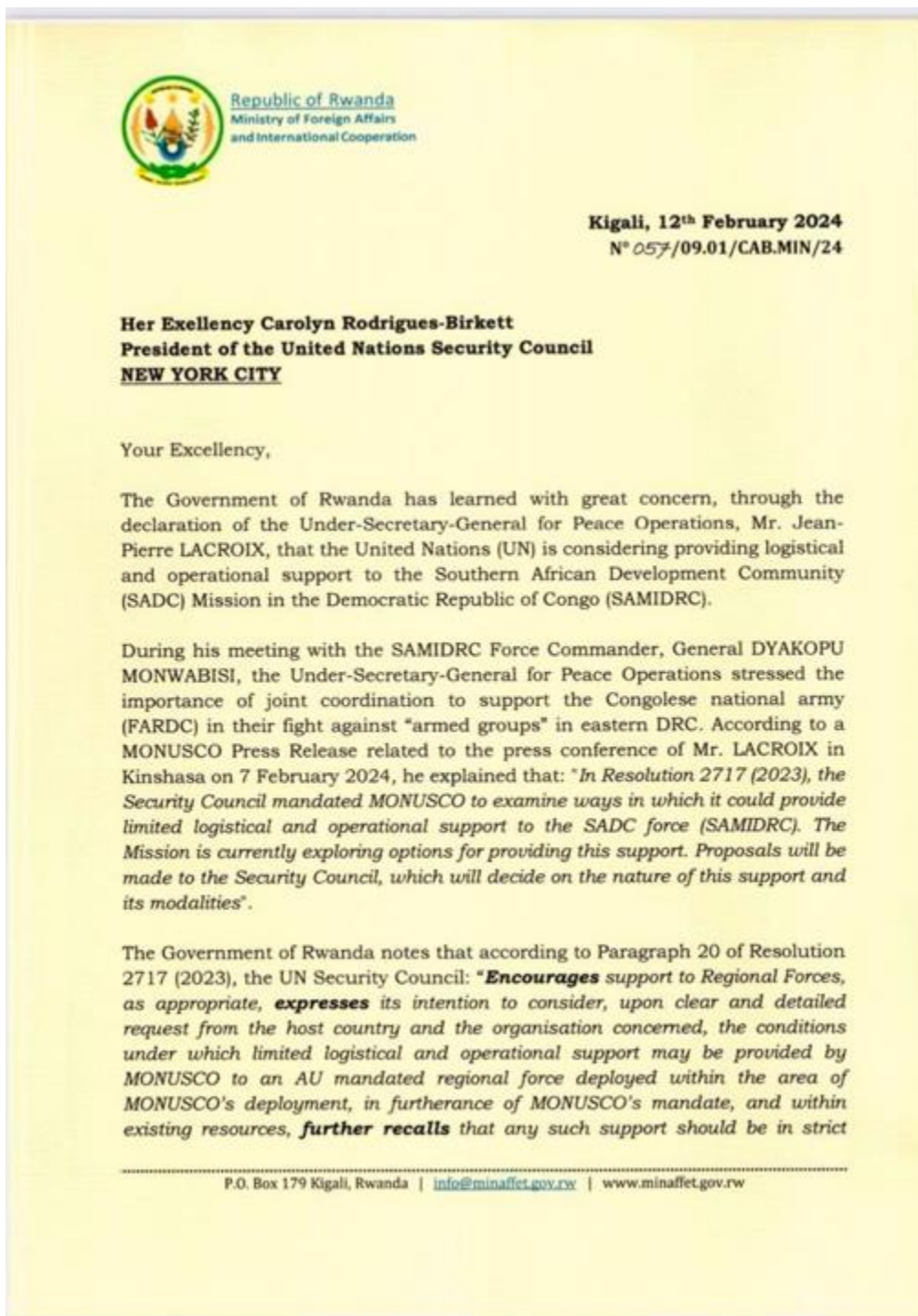
Signed at Lusaka on this 14th day of December 2023 in three original text in English, French and Portuguese languages, both texts being equally authentic.



H.E. Mr. Hakainde Hichilema
PRESIDENT OF THE REPUBLIC OF ZAMBIA
Chairperson of the SADC Organ on Politics, Defence and Security Cooperation

Document received from security source

Rwanda's letter dated 12 February 2024 protesting SAMIDRC deployment:



*compliance with the United Nations HRDDP, and **further stresses** the importance of the protection of civilians, of close coordination and information sharing between deployed regional forces, the FARDC, Burundi National Defence Forces, Uganda Peoples' Defence Forces and MONUSCO, including to deconflict operations and to ensure MONUSCO mandate implementation, and of the need to carry out all operations, joint or unilateral, in strict compliance with international law, including international humanitarian law and international human rights law, as applicable."*

The Government of Rwanda further notes that according to Paragraph 48 of the same Resolution, the UN Security Council: **"Requests** the Secretary-General, in consultation with stakeholders, including the AU and regional organizations, to report to the Security Council by 30 June 2024 on possible logistical and operational support the United Nations can provide to regional forces present in DRC at the request of the host country and the organization concerned, in line with the Secretary-General's 2 August 2023 report, including recommendations to ensure, in such case, coherence, coordination, complementarity and efficient articulation of efforts between MONUSCO and these forces."

While the Government of Rwanda would naturally have no issue with the UN providing support to regional Forces, if they were genuinely intended to bring peace in eastern DRC, it wishes to draw the attention of the UNSC that SAMIDRC is not a neutral force in the current crisis. Its mission is to support the Government of DRC's belligerent posture, which bears the potential for further escalation of the conflict and increased tensions in the region.

While there are more than 260 armed groups in the eastern DRC, SADC Forces, like in 2013, are selectively supporting the DRC Armed Forces (FARDC) in the fight against M23 rebels, along with Burundian Forces (FDNB), European mercenaries, Rwandan genocidal forces (FDLR and its splinter groups) and a host of ideologically and ethnically-charged local armed groups known as Wazalendo. These Wazalendo groups include the notorious Congolese Hutu militia Coalition of Movements for Change (CMC-Nyatura) whose creation was inspired and facilitated by FDLR. They have vowed to cleanse the eastern DRC of Congolese Tutsi, whom they consider as Rwandans, and they are involved in horrible scenes of ethnic killings reminiscent of events that preceded the 1994 Genocide against Tutsi in Rwanda. SAMIDRC has been conducting joint operations with these negative groups against M23, in support of the Government of DRC's resolve to pursue a military solution, in violation of the recommendations of both EAC-led Nairobi Process and Angola-led Luanda initiative.

In her statements dated 30 November 2022 and 24 January 2023 respectively, the United Nations Special Adviser on the Prevention of Genocide, Alice WAIRIMU NDERITU, indicated to have received *"alarming reports on multiple attacks against civilians along ethnic lines in Ituri, North Kivu and South Kivu Provinces, in eastern DRC"*. She warned that *"the conditions necessary for the commission of atrocity crimes continue to be present in a region where a genocide happened in 1994"*. In her statement of 24 January 2023, the Special Adviser recalled her visit to the DRC in 2022 as well as the technical-level mission by her Office in the same year which established that *"indicators and triggers contained in the UN Framework of Analysis for Atrocity Crimes are present in DRC including: dissemination of hate speech and absence of independent mechanisms to address it; politicization of identity; proliferation of local militias and other armed groups across the country; widespread and systematic attacks, including sexual violence"*. The Government of Rwanda wishes to put to the attention of the UNSC that this violence is particularly directed against Congolese Tutsi, including the Banyamulenge in South Kivu and Hema in Ituri, as reported by the UN Group of Experts on DRC and the United Nations Special Adviser on the Prevention of Genocide, on the basis of their ethnicity and perceived allegiance with neighboring countries and intergroup tensions.

The escalation of the conflict in the eastern DRC comes in the context of public declarations by the presidents of DRC and Burundi to support a regime change in Rwanda and heightened ethnic tensions in the region. The hyper-militarization of the eastern DRC with presence of ethnically motivated forces, both state and non-state is a serious concern to Rwanda. The Government of Rwanda is concerned that instead of condemning the ethnic killings in eastern DRC and belligerent declarations of the presidents of DRC and Burundi, the UN intends to support the coalition that is behind this escalation.

By associating itself with and supporting a coalition including SAMIDRC, FDNB and FDLR, the UN is acting on wrong premises and risks lending a hand to a coalition of forces whose sole objective is to uproot Congolese Tutsi in eastern DRC and which has declared its intention to destabilize Rwanda. The Government of Rwanda wishes to note that the conflict has persisted because the international community has deliberately ignored the root causes of the conflict, which include among others support to and preservation of Rwandan genocidal forces in eastern DRC, refusal of the Government of DRC to address genuine grievances of Congolese Rwandophones, especially Tutsi, and refusal to repatriate hundreds of thousands of Congolese refugees living in the region.

Rwanda hosts around 100,000 of these refugees, some of whom have lived in Rwanda for almost thirty years now, including more than 13,000 who fled ethnic cleansing in eastern DRC during the last four months.

The intended UN logistical and operational support to the FARDC allied forces emboldens the Government of DRC in pursuing a military solution in place of a negotiated and peaceful solution of the crisis. The Government of Rwanda wishes to draw the attention of the UNSC members on the dangers of such move, including erosion of any peaceful settlement of the decades-long crisis in the eastern DRC, resurgence of ethnic confrontation and risk of a regional conflict given the determination of the presidents of DRC and Burundi to cause a regime change in Rwanda.

The Government of Rwanda would like to request the UNSC to avert the escalation of the conflict in eastern DRC, by not reconsidering the request to provide logistical and operational support to the FARDC-led coalition, which could only feed into more escalation. The UN Security Council should instead encourage the Government of DRC to pursue a peaceful solution within the Nairobi and Luanda processes.

The Government of Rwanda is willing and ready to play its role in supporting a peaceful resolution of the conflict in the eastern DRC. In the meantime, the Government of Rwanda will continue to undertake preventive and defensive measures against the declared intention of the presidents of DRC and Burundi to remove the Government of Rwanda and the threat posed by the Rwandan genocidal forces operating in the eastern DRC.

Please accept, Your Excellency, the assurances of my highest consideration.



Vincent BIRUTA


Minister

CC:

The United Nations Secretary General
New York City

Document received from confidential source

African Union's Communique dated 4 March 2024 endorsing SAMIDRC Deployment

AFRICAN UNION الاتحاد الأفريقي UMOJA WA AFRICA		UNION AFRICAINE UNIÃO AFRICANA UNIÓN AFRICANA
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PEACE AND SECURITY COUNCIL
1203RD MEETING

4 MARCH 2024
ADDIS ABABA, ETHIOPIA

PSC/PR/COMM.1203 (2024)

COMMUNIQUÉ



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PSC/PR/COMM.1203 (2024)

COMMUNIQUÉ

Adopted by the Peace and Security Council (PSC) of the African Union (AU) at its 1203rd meeting held on 4 March 2024, on Consideration of the Situation in the Eastern Democratic Republic of Congo (DRC) and the Deployment of the Southern African Development Community Mission in the DRC (SAMIDRC).

The Peace and Security Council,

Recalling all its previous decisions and pronouncements on the situation in the Eastern DRC, particularly Communiqués [PSC/PR/COMM.1145 (2023) adopted at its 1145th meeting held on 31 March 2023 and [PSC/HoSG/COMM.1040 (2023)] adopted at its 1140th meeting held at Heads of State and Government level, on 17 February 2023;

Further recalling the 50th Anniversary Solemn Declaration of the Organisation of African Unity (OAU) in which the Heads of State and Government of the AU pledged their determination to achieve the goal of a conflict-free Continent, to make peace a reality for all of Africa's citizens and not to bequeath the burden of conflicts to future generations;

Deeply concerned by the scourge of conflicts on the Continent and their impediment to socio-economic development and **reaffirming** commitment to realise Agenda 2063 and its flagship projects, including Silencing the Guns by 2030;

Noting the opening remarks by H.E. Ambassador Emilia Mkusa, Permanent Representative of the Republic of Namibia to the AU and Chairperson of the PSC for March 2024 and the introductory statement by Dr. Alhaji Sarjoh Bah, Director of the Conflict Management Directorate on behalf of H.E. Ambassador Bankole Adeoye, Commissioner for Political Affairs Peace and Security; **also noting** the statement by H.E. Christophe Lutundula Apala Pen'Apala, Vice Prime Minister and Minister of Foreign of the Democratic Republic of Congo, H.E. Ambassador Rose Sakala, Permanent Representative of the Republic of Zambia, representing the SADC Chair of the Organ on Politics, Defence and Security Affairs, as well as Professor Kula Ishmael Theletsane, Director of the SADC Organ on Politics, Defence and Security Affairs;

Reaffirming the unwavering commitment of the AU to respect the sovereignty, unity and territorial integrity of the DRC and the solidarity of the AU with the people and the Government of the DRC in their legitimate aspirations for peace, stability, and socio-economic development; and

Acting under Article 7 of its Protocol, the Peace and Security Council:

1. **Commends** the people and the government of the Democratic Republic of Congo (DRC) for the successful conduct of elections in December 2023 and **congratulates** H.E. Félix Antoine Tshisekedi Tshilombo on his re-election as the President of the DRC for a second term;
2. **Expresses deep concern** over the resurgence of the March 23 Movement (M23) in the eastern DRC; **strongly condemns** the human rights abuses committed by the M23, the Allied Democratic Forces (ADF), the Forces Démocratiques de Libération du Rwanda (FDLR), and other negative forces and armed groups active in the Eastern DRC;
3. **Also expresses grave concern** over the worsening insecurity due to the debilitating activities of M23, ADF, FDLR, other negative forces and armed groups in the eastern DRC and the resultant dire humanitarian situation that continues to adversely impact the population in affected communities; **calls on** the AU Commission, Member States, in position to do so, and the international community to

PSC/PR/COMM.1203 (2024)

contribute towards the provision of humanitarian assistance to alleviate the suffering of the affected population;

4. **Calls for** the immediate and unconditional cessation of hostilities, as well as the creation of humanitarian corridors to facilitate the provision of humanitarian assistance to the affected population; and **also calls** for the urgent cantonment and disarmament of M23, ADF, FDLR and all other armed groups active in the eastern DRC;

5. **Reaffirms** the continued relevance of the 2013 Peace, Security and Cooperation Framework for the DRC and the Region, as a viable framework for addressing the perennial insecurity in the Eastern DRC and the Region; **calls** for its revitalisation; and **encourages** the signatory countries and the international community to redouble their efforts to fully implement their commitments;

6. **Reiterates** that there can be no sustainable military solution to the situation in eastern DRC and, in this respect, **stresses** the importance of the Nairobi and Luanda processes which are aimed at finding a diplomatic solution to the conflict; in this regard, **applauds** the efforts by H.E. João Manuel Lourenço, President of the Republic of Angola and AU Champion for Peace and Reconciliation, in mediating between the two sisterly countries through the Luanda Process; **calls** for an urgent follow-up meeting to continue the diplomatic efforts in this regard;

7. **Also applauds** the mediation efforts of H.E. Uhuru Kenyatta, former President of the Republic of Kenya and Facilitator of the EAC-led Nairobi Process; and **reiterates** the importance for all parties to respect and implement decisions of the Summit and obligations agreed upon in previous meetings of Heads of State and other established instruments in resolving the situation in eastern DRC;

8. **Stresses the need** for the implementation of the outcome of the Quadripartite Summit of the East African Community (EAC), Economic Community of Central African States (ECCAS), International Conference on the Great Lakes (ICGLR) and SADC, under the auspices of the AU, held on 27 June 2023, in Luanda, Republic of Angola; **underscores** the imperative of enhanced coordination of efforts within the framework of the Quadripartite Mechanism; and **requests** the AU Commission to convene a second Quadripartite Summit to follow up on progress on the implementation of commitments made during the 1st Summit of the Quadripartite;

9. **Takes note** of the Communique of the Extraordinary Organ Troika Summit, plus SADC Troika and Force Brigade (FIB) troop-contributing countries (TCCs) held on 8 May 2023, approving the deployment of a SADC Force, within the framework of the SADC Standby Force as a regional response in support of the DRC to restore peace and security in the DRC, and the subsequent deployment of the Southern African Development Community Mission (SAMIDRC) on 15 December 2023; **endorses** the deployment of SAMIDRC in the eastern DRC; and **requests** the AU Commission to mobilise requisite support for SAMIDRC, including from the AU Peace Fund Crisis Reserve Facility;

10. **Also requests** the AU Commission to expedite the transfer of the equipment donated to SADC, which is still at the AU Continental Logistics Base in Douala, Cameroon, to support in efforts of ensuring effective implementation of SAMIDRC mandate;

11. **Pays tribute** to the SAMIDRC Troop contributing countries (TCCs), namely Malawi, South Africa and Tanzania, for their commitment to promoting peace, security and stability in the region; **also pays tribute** to the forces who have paid the supreme price; **expresses sincere condolences** to their bereaved families and Governments and **wishes** a speedy recovery to those nursing injuries;



PSC/PR/COMM.1203 (2024)

12. **Requests** the AU Commission, working in close collaboration with SADC, to devise practical modalities of AU support to SAMIDRC and to provide regular briefings, at least every quarter, to the Council on the activities of SAMIDRC;
13. **Also requests** the AU Commission to transmit this Communique to the United Nations Security Council (UNSC) for information and to request the UNSC to provide the required material and financial resources to enable SAMIDRC to effectively discharge its mandate; and
14. **Decides** to remain actively seized of the matter.



Document available of the AU website <https://www.peaceau.org/en/article/communique-of-the-1203rd-meeting-of-the-psc-held-on-4-march-2024-on-consideration-of-the-situation-in-the-eastern-democratic-republic-of-congo-drc-and-the-deployment-of-the-southern-african-development-community-mission-in-the-drc-samidrc>

Annex 58 (para. 89)**EACRF withdrawal and Springbok****Retrait de l'EACRF et Springbok**

SAMIDRC deployment followed the forced withdrawal of the EACRF in December 2023. DRC authorities had raised concerns over EACRF's inaction and ineffectiveness in containing M23 and called for its departure by 8 December 2023. The EACRF also faced attacks by armed groups, along with mounting pressure from civil society activists demanding its withdrawal.

The withdrawal of the EACRF coincided with the continuous deterioration of the security situation in North Kivu, despite the launch by MONUSCO and the FARDC, in November 2023, of the operation code-named "Springbok", still operational at the time of drafting. Springbok's objective was to prevent M23 from capturing Sake and Goma before the full deployment of the SAMIDRC troops.⁹⁵ As part of this operation, MONUSCO peacekeepers were deployed in defensive positions to counter any advances by M23 towards Sake and Goma (see para. 34).

⁹⁵ <https://peacekeeping.un.org/en/north-kivu-monusco-and-fardc-launch-codenamed-operation-springbok-to-protect-city-of-goma>

Annex 59 (para. 90)

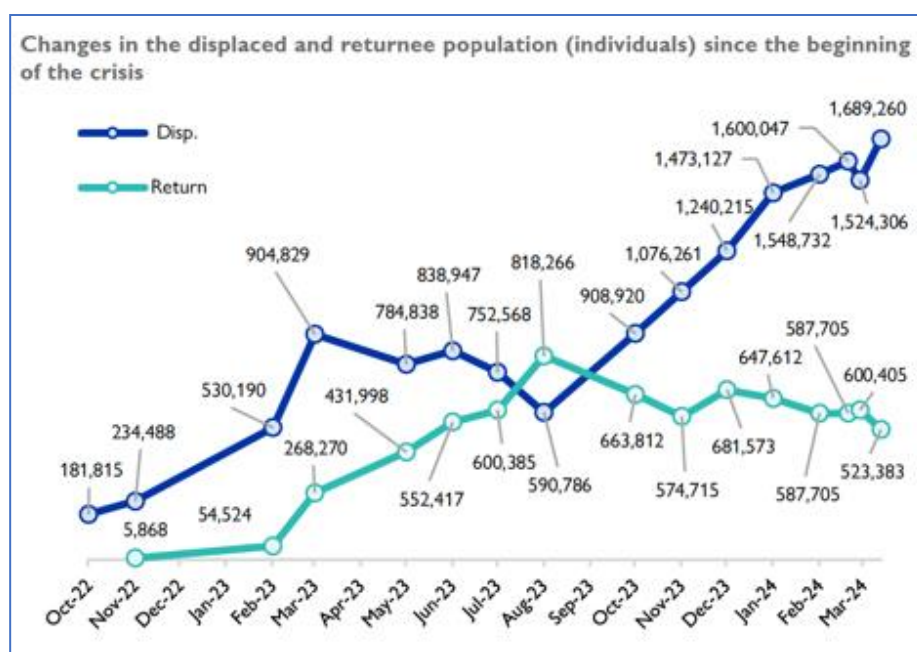
Changes in the movement of the displaced population in North Kivu since the beginning of the M23 crisis

Évolution du mouvement de la population déplacée au Nord-Kivu depuis le début de la crise du M23

By the end of March 2024, the intensity of the M23-related conflict led to nearly 1.7 million internally displaced persons (IDPs) in North Kivu.⁹⁶

Data published by the International Organization for Migration (IOM) shows a surge of over 830 per cent in population displacement since the onset of M23's territorial expansion in North Kivu that began in October 2022 (see infographic below). Displacement dynamics are in direct correlation with the intensification of the fighting triggered by M23 and RDF's territorial expansion. For example, from October 2023 onwards, when M23 resumed fighting with RDF support, a surge of over 1 million IDPs was recorded, at least half of them children,⁹⁷ with the number of displaced growing in a steady upward curve.

As a result of the ongoing fighting, in addition to the displacement recorded in North Kivu,⁹⁸ the Kalehe territory in the northern part of South Kivu province accounted for over 538,000 IDPs, accommodating the influx of civilians fleeing the conflict in North Kivu, notably from the direction of Sake and Minova.⁹⁹ IDP movements also expanded towards Lubero territory.¹⁰⁰



Infographic depicting changes in the displaced and returnee population in North Kivu affected by the M23 crisis, from October 2022 to March 2024. Source: IOM, dated 15 March 2024. See <https://dtm.iom.int/reports/drc-north-kivu-m23-crisis-analysis-15-march-2024>

⁹⁶ IOM <https://dtm.iom.int/reports/drc-north-kivu-m23-crisis-analysis-15-march-2024> (DRC -North Kivu: M23 Crisis Analysis 15 March 2024); OCHA (<https://reliefweb.int/report/democratic-republic-congo/democratic-republic-congo-north-kivu-overview-humanitarian-situation-january-2024>), UNHCR <https://www.intersos.org/en/ddrc-escalating-conflict-exacerbates-the-emergency-in-north-kivu/>

⁹⁷ As reported by Save the Children in March 2024. See also report of February 2024.

⁹⁸ See also OCHA at <https://reliefweb.int/report/democratic-republic-congo/democratic-republic-congo-north-kivu-overview-humanitarian-situation-january-2024>.

⁹⁹ Source: OCHA at <https://reliefweb.int/report/democratic-republic-congo/democratic-republic-congo-south-kivu-humanitarian-snapshot-31-january-2024>.

¹⁰⁰ See S/2024/251, paras. 35-36, humanitarian and civil society sources.

Annex 60 (para. 91)

Unprecedented levels of conflict-related sexual violence

Des taux sans précédent de violences sexuelles liées aux conflits

1. Conflict-related sexual violence reached alarming levels in North Kivu, particularly affecting IDPs (S/2023/431, paras. 68-69, annexes 17 and 43).¹⁰¹ Rapes became endemic in the IDP settlements. Due to the extreme poverty and poor living conditions in the camps, many women and girls resorted to engaging in transactional sex, leading to the emergence of thousands of brothels (“*maisons de tolérance*”).¹⁰²
2. Masisi and Nyiragongo territories, as well as Goma – areas hosting the highest concentration of IDPs in the Petit Nord¹⁰³ – had the highest number of cases of rape recorded by humanitarian organizations in 2023. Since the renewed fighting in October 2023, cases of sexual violence further increased due to the proliferation of Wazalendo armed groups around Goma, including in and near IDP settlements.¹⁰⁴ For example, Nyiragongo health district recorded approximately 100 cases per month in November and December 2022 (see S/2023/431, annex 17), whereas in the second half of 2023, medical and psycho-social service providers reported receiving well over 100 cases *daily*.¹⁰⁵
3. Statistics however only reflect a fraction of the actual violations. Reporting was strongly influenced by factors such as physical access to survivors or the presence of protection actors in a certain area, security challenges, fear of reprisals and stigma among survivors.¹⁰⁶ Cases reported to MONUSCO or Congolese judicial authorities were only a small fraction of figures reported by humanitarian actors providing medical or psycho-social support to survivors.¹⁰⁷

Challenges in identifying perpetrators

4. Community leaders, women’s representatives and humanitarian agents working in the IDP camps have all stressed that the presence of armed Wazalendo and FARDC elements was the primary cause of insecurity, rampant criminality and increase in sexual violence in IDP settlements.¹⁰⁸ Out of hundreds of sexual violence

¹⁰¹ See also the Report of the Secretary General on Conflict-related sexual violence, 22 June 2023, S/2023/413 paras. 32-34. See also <https://www.stoprapenow.org/wp-content/uploads/2023/07/Twenty-Four-UN-entities-urge-immediate-action-to-protect-women-and-girls-from-sexual-violence-in-and-around-IDP-camps-in-eastern-DRC-EN.pdf>.

¹⁰² Humanitarian and civil society sources, medical professionals, testimonies of survivors, individuals and organizations working with sexual violence survivors in IDP camps around Goma. See also S/2024/292, paras. 10-11.

¹⁰³ UN sources. At the time of writing, there were more than 104 registered IDP sites around Goma, not counting the numerous makeshift sights that were not yet accounted for.

¹⁰⁴ UN sources, humanitarian and civil society sources, medical professionals, testimonies of survivors, individuals and organizations working with sexual violence survivors in IDP camps around Goma. See also <https://www.doctorswithoutborders.org/latest/why-sexual-violence-rise-gomas-displacement-camps> and <https://www.msf.org/drc-alarmed-numbers-sexual-violence-victims-camps-around-goma>

¹⁰⁵ In addition, Doctors Without Borders (MSF) reported that it was treating an average of 1,500 female survivors of sexual violence monthly, in only three IDP sites near Goma, according to statistics published in September 2023 – see <https://www.doctorswithoutborders.org/latest/why-sexual-violence-rise-gomas-displacement-camps>. See also S/2024/292, para.34.

¹⁰⁶ See the Report of the Secretary-General on the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo, 21 March 2024, S/2024/251, para. 33. See also S/2023/413 paras. 12 and 32.

¹⁰⁷ S/2024/251, para. 33; Humanitarian actors, including individuals working sexual violence survivors. See also a Report by Doctors Without Borders (MSF) dated 18 September 2023 reporting that MSF treated 1,500 female survivors of sexual violence in only three IDP sites near Goma in July 2023 alone.

¹⁰⁸ UN sources, military sources, humanitarian and civil society sources, community leaders, researchers, and as observed by the Group during visits to displacement sites between Goma and Sake, in March 2024.

cases recorded by protection actors between November 2023 and March 2024, the vast majority have been committed by unidentified members of armed groups or military personnel.¹⁰⁹

5. However, identifying perpetrators posed significant challenges (see also [S/2023/431](#), annex 17), as most survivors were unable to identify the perpetrators beyond distinctive features such as wearing a uniform or carrying a weapon. Discerning the specific affiliation of armed actors was notably difficult in the case of Wazalendo armed groups, due to challenges in determining the area of control of a particular group, given their frequent shift in operational zones, compounded by the cooperation and mixing of multiple groups (see para. 110), including joint operations with FARDC soldiers and the adoption of similar uniforms.
6. Identifying the affiliation of armed actors was more straightforward in the case of M23 and RDF, as they were the sole armed actors present in areas they controlled, where rape cases, including on minors, continued to be documented.¹¹⁰ Additionally, distinctive features such as physical appearance, attire, equipment, or spoken language aided in their identification (see [S/2023/431](#), paras. 68-69, and annexes 43 and 44). Similarly, in areas under the control of a single Wazalendo armed group, attribution of responsibility was less challenging,¹¹¹ such as in the case of NDC/R or certain Nyatura groups operating in Masisi and Walikale, who were most often cited as perpetrating sexual violence.¹¹²
7. Similarly, multiple sources implicated combatants of FDDP (led by commander Defender), APCLS (of commander Kambuzi), FDLR-FOCA (of commander “Seigneur de Guerre”), as well as FARDC soldiers, all operating in Sake (see also paras. 112 and 121 of this report), in the conduct of rapes perpetrated against women residing in IDP sites situated within their area of operations; i.e., along the main road leading from Goma to Sake.¹¹³ In the area of Kanyaruchinya, APCSL, UPCRN, as well as FARDC elements were most often cited.¹¹⁴
8. Judicial authorities were unable, and occasionally unwilling, to investigate and prosecute perpetrators of sexual violence, including FARDC elements (see also para. 115 of this report). Widespread impunity regarding incidents of sexual violence fosters the continuation of this phenomenon.¹¹⁵

¹⁰⁹ Records and statistics examined by the Group, provided by a humanitarian NGO providing medical, psycho-social and judicial support to survivors of sexual violence, and confirmed by three other community-based NGOs working with survivors in the IDP camps.

¹¹⁰ UN sources, confidential and community-based sources.

¹¹¹ UN sources, humanitarian and civil society sources, community leaders, researchers.

¹¹² *Idem*

¹¹³ Community leaders, humanitarian and civil society sources, researchers, individuals working with sexual violence survivors in the area.

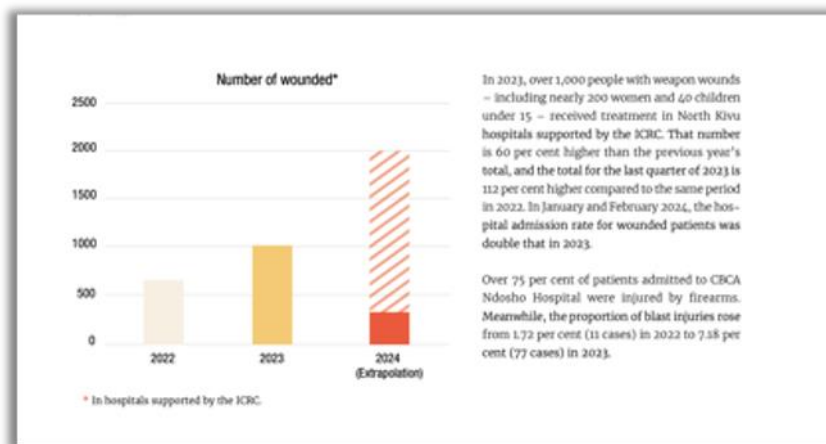
¹¹⁴ *Idem*

¹¹⁵ UN sources, FARDC source, humanitarian and civil society sources, community leaders, researchers, individuals working with sexual violence survivors in the area

Annex 61 (para. 93)

Rise in civilian casualties due to use of heavy artillery in or near urban areas**Augmentation du nombre de victimes civiles en raison de l'utilisation de l'artillerie lourde dans les zones urbaines ou à leur proximité**

Humanitarian, medical, and civil society actors highlighted the alarming increase in civilian casualties since the fighting drew closer to the provincial capital of Goma, notably as of January 2024. In January and February 2024, the rate of hospital admissions for wounded patients was already double the number recorded for the entire year in 2023.¹¹⁶



In early 2024 the ICRC observed that 40 per cent of patients admitted to CBCA Ndosho Hospital had been injured by heavy artillery. Fighting in urban areas is causing countless civilian deaths and intense suffering. When towns, villages and displacement camps are bombarded or shelled, the vast majority of the victims are civilians. The use of wide-impact explosive weapons – large bombs, missiles, rockets, mortars and artillery shells – often has indiscriminate effects. Such weapons were designed for open battlefields. When they are used in densely populated urban areas, they can cause extensive destruction, injury and death.

Excerpts from ICRC report, published on 1 March 2024, highlighting the alarming rise in number of victims injured by heavy artillery. Full report accessible at [“THE FORGOTTEN PEOPLE OF NORTH KIVU”](#)

With regards to the humanitarian consequences, the International NGO Forum in Congo – a group of non-governmental organizations working in the region – also highlighted that the escalation in fighting, involving artillery attacks on civilian settlements and causing a heavy toll, forced many health and aid workers to withdraw.¹¹⁷

¹¹⁶ See ICRC report of 1 March 2024, “The Forgotten People of North Kivu”, page 4. See also <https://www.intersos.org/en/ddrc-escalating-conflict-exacerbates-the-emergency-in-north-kivu/>

¹¹⁷ <https://www.hi.org/en/news/escalating-conflict-in-eastern-drc-raises-concerns-for-civilian-safety-and-humanitarian-access>

Annex 62 (Para. 94)

Incidents involving heavy artillery fire by M23, RDF and FARDC, resulting in civilian casualties**Incidents impliquant des tirs d'artillerie lourde par le M23, les RDF et FARDC, entraînant des pertes civiles**

1. As M23 and RDF were rapidly expanding the areas under their control, heavy fighting, including the use of heavy artillery, affected civilians in the areas where clashes between M23/RDF and the FARDC/Wazalendo coalition occurred. For example, in October and November 2023, fighting over control of key road axes in Rutshuru led to heavy fighting around Bambo (see also [S/2023/990](#), para. 25), and incidents of heavy shelling were reported (see below paras 13 and 32).
2. Since early January 2024, localities along the strategic Mweso-Kitshanga-Sake-Goma axis have been the sites of heavy artillery shelling (see also [S/2023/431](#), para. 42). Mweso, Sake, and the northwestern suburbs of Goma were the areas most affected by the systematic use of heavy artillery.¹¹⁸
3. In January and early February 2024, FARDC carried out several airstrikes over various areas occupied by M23 and RDF (see annex 23). A precision airstrike targeting an M23 position in Kitchanga on 16 January 2024 killed and wounded several high-ranking M23 officers, and destroyed an important arms depot, leading the M23 leadership to vow retaliation (see also paragraph 35 of this report).¹¹⁹ Multiple testimonies confirmed that M23 changed its tactics after this deadly airstrike and began moving its bases, including the officer's quarters and weapon stockpiles, into civilian dwellings to avoid being targeted by FARDC airstrikes. This M23 tactic exposed civilians to the risk of FARDC bombardments (see also para. 97, and annexes 27 and 63).
4. On 3 February 2024, following heavy fighting against FARDC, the Wazalendo groups and FDLR-FOCA, M23 and RDF took control of Shasha village in Masisi territory, only a few kilometres from the border with South Kivu, cutting off access along the road connecting Goma to Bukavu in South Kivu (see also [S/2023/431](#), para. 42).
5. In particular, since the takeover of Shasha village in early February 2024,¹²⁰ heavy fighting resumed in the vicinity of Sake, only a few kilometres from Goma, with frequent incidents of M23/RDF shelling populated areas (see below paras 17-31 below).
6. FARDC and SAMIDRC forces repeatedly shelled M23/RDF positions from their Mubambiro military base in Sake, as well as from artillery positions located along the main road in Sake, including in proximity of IDP camps (see map below).¹²¹ M23/ARC responded by firing heavy artillery rounds, including mortars and rockets (see paras. 50-54 of this report), that landed in populated areas, causing significant civilian casualties (see para. 18 below). According to reports received by the Group, FARDC artillery also inadvertently released rounds that landed in populated areas near Sake on a few occasions.¹²² The FARDC positions were eventually moved from these locations on 18 February 2024 in order to minimize the exposure of the civilian population to collateral damage.¹²³

¹¹⁸ UN sources, humanitarian sources, civil society sources, researchers, victims and witnesses.

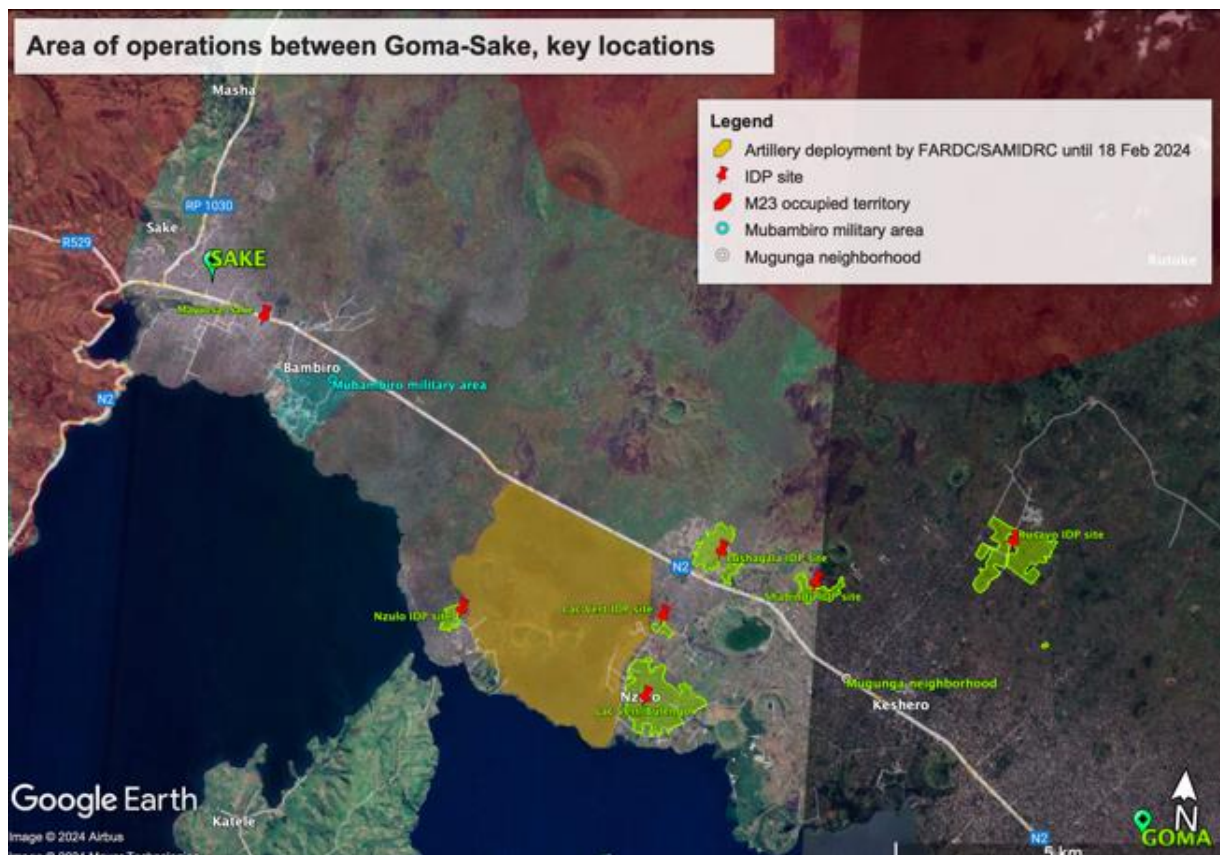
¹¹⁹ In a public communique dated 17 January 2024, Lawrence Kanyuka, the M23 Mouvement Spokesperson stated that "the M23 has understood the message sent to it by the Kinshasa regime and will respond accordingly". See <https://twitter.com/lawrencekanyuka/status/1747525428409958876?s=48&t=oT9StWa0RjcInyuvFVEyqQ>

¹²⁰ The Group documented clashes also in January 2024 in vicinity of Sake.

¹²¹ Direct witnesses, military sources, UN sources, humanitarian and civil society sources

¹²² UN sources, local sources, researchers, witnesses.

¹²³ Military and intelligence sources, and a confidential source



Google Earth map annotated by the Group depicting existing IDP sites and other key locations along the Goma – Sake road (N2), as well as areas occupied by M23 and known FARDC/SAMIDRC artillery positions in proximity of IDP sites, up until 18 February 2024¹²⁴

Map Data: Google, ©2024 Source, Imagery Date: 18022024

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

7. On 7 February 2024, heavy fighting and frequent detonations of heavy artillery around Sake caused panic among the population, with thousands of civilians fleeing Sake towards Goma and Minova.¹²⁵ On the same day, in the Ndolero neighbourhood of Kimoka locality in Sake, at least six civilians were killed, including children, and more than 15 were gravely injured by exploded ordnance. The Group was unable to ascertain the provenance of the shelling that caused the civilian casualties due to the heavy exchange of fire between the two warring sides.¹²⁶
8. Between January and March 2024 alone, the Group documented over 30 incidents of explosive weapons used by both sides in densely populated areas that caused civilian casualties, including many women and children.¹²⁷

¹²⁴ Military and intelligence sources, community-based sources from the Goma and Sake area, confidential sources, direct observations by the Group.

¹²⁵ Humanitarian sources estimated that at least 135.000 individuals fled Sake that day in the direction of Goma, which included at least 75.000 IDPs who had previously sought shelter in Sake.

¹²⁶ UN sources, military sources, humanitarian and civil society sources, community leaders.

¹²⁷ UN sources, humanitarian and NGO sources, reserachers, victims and eyewitnesses, photographic and video evidence. See also <https://www.icrc.org/en/document/dr-congo-civilians-firing-line-use-heavy-weapons-signals-alarming-new-phase-armed-conflict>; <https://www.rfi.fr/fr/afrique/20240209-rdc-la-situation-sécuritaire-à-l-est-du-pays-est-de-plus-en-plus-inquiétante-alerte-msf>;

9. The Group was not able to ascertain attribution of liability under IHL¹²⁸ for all the incidents documented, mainly due to insufficient evidence allowing it to ascertain the source of the artillery fire, including the inability to conduct impact analysis, lack of access to witnesses or material evidence, partial insight into military planning and execution processes, or a combination of these factors. In most cases, material evidence, such as remnants of explosive ordnance, were either not preserved or the chain of custody was tainted.
10. The Group considers that the incidents listed below which are attributed to perpetrators have been proven to the requisite standard of proof, in line with the Group's methodology as referenced in paras. 6-8 of this report.
11. The circumstances of the attacks detailed below, carried out both by M23/RDF (section 1 below) and by FARDC (section 2 below) – including the targeting of densely populated areas without prior warning, with awareness of the civilian population's presence near the military position(s), along with the apparent failure to take all feasible precautionary measures in selecting means and methods of attack to avoid or to minimize civilian casualties, injuries, and damage to civilian property – constitute indiscriminate attacks prohibited by international humanitarian law¹²⁹ and amount to sanctionable acts.
12. The Group notes that despite the ability and willingness of M23 to issue communiqués, including warnings to the public, no such warnings were issued prior to artillery operations that subsequently led to significant civilian casualties, denoting a failure to consider the indiscriminate effects of such operations. M23 has, on occasion, issued warnings to civilians to vacate areas that were predictably going to be affected by armed clashes.¹³⁰ Although M23 also issued curfews and restrictions of movement to the population in areas under its control – arguably to minimize exposure of civilians to consequences of potential armed clashes, the imposition of such measures coincided with massive RDF reinforcements in the affected areas (see also para. 41 of the report), and the primary intention thus would have been to maximize the secrecy of such operations. For example, the M23 issued a statement signed by its Executive Secretary Benjamin Mbonimpa on 20 January 2024 imposing a curfew from 6:30 p.m. to 6 a.m. throughout the area under M23 control, announcing that all civilian activities, without exception, were to start at 6 a.m. and end at 6:30 p.m. It was emphasized that those who violated the curfew would be severely punished.¹³¹ Around that same time, RDF troops entered the DRC and moved along roads in areas controlled by M23, mostly at night (see paras. 40-45 of this report). The curfew was subsequently lifted on 17 February 2024.¹³²
13. Similarly, the FARDC did not issue any specific warnings and did not take any preventive measures to protect civilians in the context of the attacks detailed in section 2 below.

(1) Indiscriminate use of heavy artillery by M23/RDF

Attack on Bambo town, Rutshuru territory, on 26 October 2023

14. On 26 October 2023, Bambo town in Rutshuru territory was attacked by M23, causing thousands of civilian inhabitants to flee. According to witnesses present in Bambo at the time, the attack began around noon, without any advance warning, targeting FARDC positions in the centre of town with mortar fire. Two persons were killed

<https://reliefweb.int/report/democratic-republic-congo/democratic-republic-congo-drc-increased-conflict-intensity-ocha-icrc-ingo-forum-echo-daily-flash-14-february-2024>

¹²⁸ Additional Protocol I, art.51 and art.57

¹²⁹ Additional Protocol I, article 51 outlining the prohibition of indiscriminate attacks, and article 57 outlining the precautions to be taken in case of a planned attack. In addition, see also rule 7 and rules 71 and 72 of the Customary International Humanitarian Law on the prohibition of indiscriminate attacks and of certain means and methods of warfare, as applicable to all belligerent parties, including non-state armed groups.

¹³⁰ For example, M23 issued a warning to civilians nearby the M23 headquarters in Kirumbu to vacate the area on 21 September 2023. Source: UN sources and confidential local sources.

¹³¹ Reported independently by 3 confidential sources.

¹³² Public communique issued by M23 on 17 February 2024. See https://fr.igihe.net/local/cache-vignettes/L852xH1080/whatsapp_image_2024-02-17_at_18.53_21-17308.jpg?1708272756

by an exploding bomb behind the primary school of Bambo, two young children were injured, and at least seven houses destroyed in the centre of town.¹³³ Unexploded ordnance was subsequently found inside the CEBCE church, and in at least two other locations in town, including close to the Bambo primary school and the general hospital. Traces of two explosions were also documented close to the Bambo hospital, with no reports of casualties.¹³⁴

15. Subsequently, Medecins Sans Frontieres (MSF) condemned the use of heavy weapons in, around or against healthcare facilities, such as the immediate vicinity of Bambo hospital on 26 October, limiting access for patients to receive medical care and endangering the lives of patients and medical staff.¹³⁵
16. Witnesses attributed the mortar fire to M23 forces, as FARDC soldiers and policemen were seen fleeing alongside the population, abandoning their positions in the centre of Bambo.¹³⁶ The Group in its previous report presented visual evidence of the presence of RDF forces in the vicinity of Bambo, advancing along the Tongo-Kalengera axis, prior to the attack (see [S/2023/990](#), para. 25 and annex 17). Their presence in the area was also confirmed by testimonial evidence.

Systematic mortar and rocket attacks on Sake and Goma suburbs, between January and March 2024

17. On 3 February 2024, following heavy fighting against FARDC (together with the Wazalendo armed groups and the FDLR), M23 and RDF took control of Shasha village, few kilometres south of Sake. Heavy fighting resumed in the vicinity of Sake, also affecting the nearby towns of Bweremana and Minova.
18. From the end of January 2024, FARDC and allied SAMIDRC forces began shelling M23 positions established on the hills located west of Sake,¹³⁷ nearly on a daily basis.¹³⁸ FARDC carried out shelling from its military base in Mubambiro, as well as from artillery positions set up along the main road in Sake, including in proximity of the Bulengo and Nzulo (Lac Vert) IDP camps. M23/RDF responded by firing heavy artillery rounds, including mortars and rockets, that landed in densely populated areas around Sake (including Mayutsa neighbourhood) and the north-western suburbs of Goma such as Mugunga, Bulengo, and Nzulo (see map above) causing civilian casualties, including children.¹³⁹
19. The Group documented the following incidents attributed to M23/RDF that caused civilian casualties:
 - (1) *Mayutsa (Sake), 27 January 2024*
20. In the afternoon of 27 January 2024, two explosive projectiles fired by M23/RDF from their positions west of Sake landed in the Mayutsa neighbourhood of Sake, killing a 10-year-old girl and gravely injuring two other young girls.¹⁴⁰
21. According to witnesses, the incident occurred in the context of an exchange of fire between M23/RDF and FARDC forces based in Mubambiro. The latter bombed M23/RDF positions towards Mushaki hill. M23/RDF responded with heavy artillery, aiming at FARDC and SAMIDRC positions in Mubambiro (see also para. 53 of this report).¹⁴¹ At least two shells fired by M23/RDF landed in Mayutsa neighbourhood, which at the time hosted

¹³³ Confidential sources, eyewitnesses, photographic evidence

¹³⁴ Confidential sources, photographic evidence.

¹³⁵ See <https://x.com/MSFcongo/status/1717941928560374104> and <https://x.com/MSFcongo/status/1717941920436007100>

¹³⁶ Confidential sources, eyewitnesses.

¹³⁷ Local and military sources reported M23/RDF positions westwards of Sake including in Mushaki (9 km northwest of Sake), Karuba (7 km southwest of Sake) and Muremure (13 km southwest of Sake). These positions were used by M23/RDF to launch heavy artillery fire onto various targets within Sake.

¹³⁸ UN and military sources, humanitarian and civil society reporting

¹³⁹ Direct witnesses, military sources, UN sources, humanitarian and civil society sources

¹⁴⁰ Three confidential sources, researchers. See also <https://aupicinfo.com/guerre-du-m23-une-fillette-de-10-ans-tuee-et-deux-autres-blessees-dans-un-bombardement-du-m23-a-sake/>

¹⁴¹ Confidential sources, researchers, UN sources, military source.

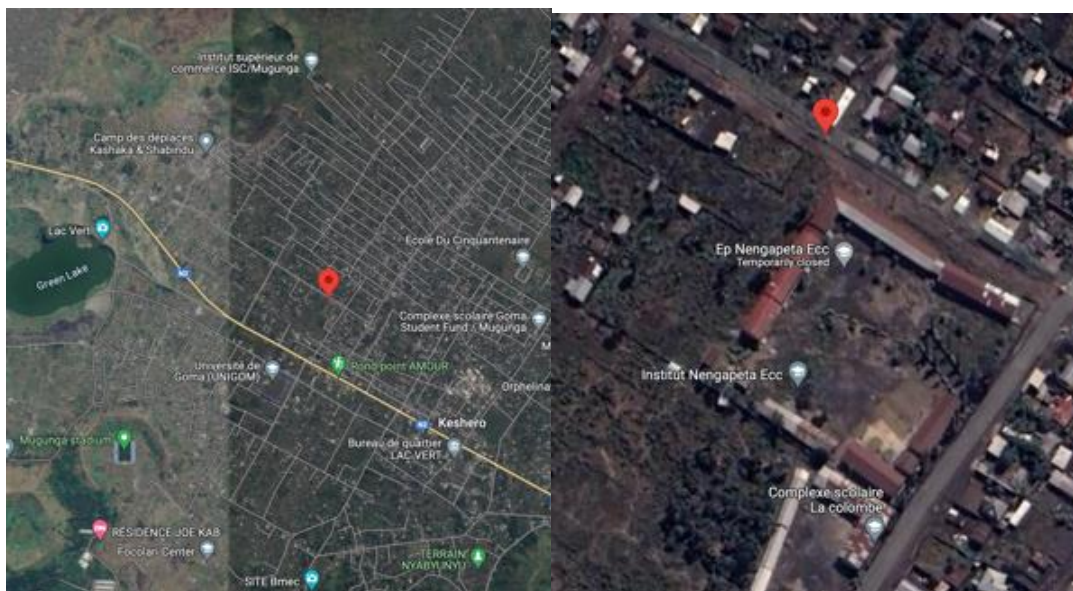
a high concentration of IDPs, situated in the direct line of fire between FARDC positions in Mubambiro and M23 positions located on the hills above Sake (see map above).

(2) *Mayutsa (Sake), 29 January 2024*

22. In the late afternoon of 29 January 2024, explosive projectiles fired by M23/RDF again landed in the Mayutsa neighbourhood of Sake, near a school known as “Institut Mululu”. At least 8 civilians were seriously injured, including 6 children. A 12-year-old girl later succumbed to her injuries. At least two civilian houses were destroyed.¹⁴²
23. Three independent sources confirmed that the bombs were launched from the M23/RDF positions on the hills above Sake, after clashes between FARDC and M23/RDF were recorded earlier that day.¹⁴³

(3) *Nengapeta school in Mugunga neighbourhood, Goma, 2 February 2024*

24. During the afternoon of 2 February 2024, a rocket shell landed in the Mugunga neighbourhood of Goma, in the vicinity of the Nengapeta school, killing one person and injuring at least two others. In addition, several civilian dwellings were damaged, including the school building. Witnesses attributed the firing to M23/RDF.¹⁴⁴
25. Military sources ascertained that the artillery shell which landed near the school was likely a 122 mm calibre rocket round (see also [S/2023/990](#), paras. 31-32).



Maps (area map and zoom-in on impact location) indicating the impact location of the rocket near the Nengapeta primary school in the Mugunga neighborhood of Goma.

Map Data: Google, ©2024 Source, Imagery Date: 10042024

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

¹⁴² Three confidential sources, photographic evidence.

¹⁴³ Two confidential sources, UN source.

¹⁴⁴ Five confidential sources. See also <https://actualite.cd/2024/02/04/bombardement-dune-ecole-goma-denis-mukwege-denonce-une-violation-grave-du-droit-des>; <https://l'interview.cd/explosion-dune-bombe-a-goma-un-mort-et-trois-blesses-en-bilan-provisoire/>



Remnants of the exploded artillery shell, identified by military experts as a 122mm rocket round. Source: video and photographs received by the Group from a confidential source.

(4) Mayutsa (Sake), 25 February 2024

26. Local sources reported that in the evening of 25 February 2024, a artillery projectile fired by M23/RDF from the direction of Vunano hill in Sake landed in a residential area in the Mayutsa neighbourhood of Sake, near the Mululu Institute (see also paras. 22-23 above). The explosion killed a 27-year-old woman and seriously injured two of her children and two neighbours. The previous day, local sources reported that at least 20 bombs fired by M23/RDF landed in various locations in Sake, without any civilian casualties reported.¹⁴⁵

(5) Minova, 20 March 2024

27. Four independent sources reported that on 20 March 2024, in the context of ongoing clashes between M23/RDF and FARDC/Wazalendo, an explosive artillery shell fired from a nearby hill occupied by M23/RDF landed in Minova town, instantly killing a woman and injuring her two children.

(6) Mubambiro, village of Shove, 27 March 2024

28. On 27 March, heavy combat was reported in the hills surrounding Sake, as FARDC and Wazalendo attempted to retake control of key road axes in the area. In this context, M23/RDF retaliated by firing rocket and mortar shells towards FARDC and SAMIDRC positions in Kimoka and Mubambiro. An explosive ordnance that landed near the Mubambiro camp, at the entrance to the village of Shove, killed three civilians and injured at least five others. The victims were allegedly IDPs who had returned to search for household items in their abandoned homes.¹⁴⁶ That same day, at least two mortar shells landed near the SAMIDRC base (see annexes 28 and 32).¹⁴⁷

(7) Sake and IDP sites near Goma, 6 and 7 April 2024

29. On 6 and 7 April 2024, as FARDC and SAMIDRC troops conducted offensive attacks on M23/RDF positions west and north-west of Sake, M23/RDF retaliated with rocket fire that hit several locations in Sake, Mubambiro as well as locations sheltering IDPs in the vicinity of Lac Vert.¹⁴⁸

¹⁴⁵ Confidential sources.

¹⁴⁶ Confidential sources.

¹⁴⁷ Confidential sources, UN source, photographic evidence.

¹⁴⁸ UN source, military sources, civil society, and video evidence. See also <https://estinfo.net/2024/04/07/nord-kivu-plus-de-17-bombes-larguees-en-une-journee-sur-des-habitations-civiles-a-sake-et-a-mugunga/>

30. On 6 April, at least 17 houses burnt down in Sake as a result of an exploded ordnance in the Birere neighbourhood,¹⁴⁹ and several IDPs were severely injured by bombs that landed in the midst of the IDP shelters in the Lushagala IDP site (see location on the map above), killing four civilians and injuring 14 others.¹⁵⁰ On the same day, RDF also shelled SAMIDRC positions in Mubambiro, injuring four SAMIDRC elements (see annex 40). On 7 April, another shell landed in the midst of an IDP site in Mugunga, Goma.¹⁵¹ Video footage received by the Group depicts severely injured civilians, including children, being evacuated by members of the crowd. One civilian was killed and several wounded.¹⁵²
31. Confidential military sources reported that the artillery fire on 7 April originated from the hills around Sake, north of Karuba, involving 122 mm precision-guided rockets¹⁵³ fired by RDF units (see also annex 42).



Screenshot from video received by the Group from a confidential source, depicting the damage caused to civilian dwellings in Sake, on 6 April 2024

¹⁴⁹ Testimonial and video evidence, UN source, civil society and military sources.

¹⁵⁰ *Idem*

¹⁵¹ Civil society sources and a military source.

¹⁵² Military and civil society sources.

¹⁵³ According to military experts, this rocket has a 20km reach.



Screenshots from a video received by the Group on 7 April 2024 from a confidential source, depicting the shell impact's location within the overpopulated IDP camp in Mugunga neighbourhood in Goma on 7 April 2024 (left), and the remnants of the exploded shell found at the site of the explosion (right), which was inspected by military experts (see annex 42).

(2) Indiscriminate use of heavy artillery attributed to the FARDC/Wazalendo coalition***Attack on Bambo town, Rutshuru territory, on 7 November 2023***

32. On 7 November 2023, the Wazalendo armed groups supported by FARDC soldiers launched a counter-offensive against M23/RDF positions in Bambo with the intention of retaking control of the town, following its capture by M23/RDF on 26 October 2023 (see above paras. 14-16). By this time, part of the population that had fled the attacks of 26 October had returned to Bambo.¹⁵⁴
33. While heavy artillery rounds were reportedly used by both sides, local sources including eyewitnesses reported that projectiles fired by FARDC since the morning of 7 November had landed in areas inhabited by civilians, in the centre of town and near the local health centre. One local source reported that FARDC was bombing “the community” since early morning, and by noon they had already counted 4 civilians killed and 17 injured. By the time the attack was over later that day, the shelling had claimed the lives of five civilians, including four children, and injured over 30 persons. This included over a dozen civilians injured within the concession of the CBCA Bambo health centre, where they sought refuge along with more than 240 households. Several civilian homes were also destroyed, and the Bambo health centre was partially damaged.¹⁵⁵
34. A few days prior to the aforementioned incident, on 2 November 2023, the Group had obtained intelligence from sources affiliated with Wazalendo, which indicated that three out of four military installations previously established by M23 within Bambo town (subsequent to its capture on 26 October 2023) had been relocated to the nearby Mburamazi hill, situated approximately 2 kilometres away from Bambo. According to this intelligence, only a singular hostile position remained within Bambo town prior to the attack launched by FARDC.

Attack on Mweso, 22-25 January 2024

35. M23/RDF fought against FARDC/Wazalendo over control of Mweso town between 22 and 25 January 2024, with both sides resorting to the use of heavy artillery.
36. Witnesses reported that on 22 January, FARDC fired two bombs, allegedly by mistake, that killed two civilians.¹⁵⁶ The following day heavy artillery fire was again heard over Mweso, without any civilian casualties being reported. On 24 January, FARDC Colonel Senzira, involved in the military operations in Mweso, had called someone in Mweso warning them that fighting would continue, but did not specify that there would be any fighting or shooting of heavy artillery in town.¹⁵⁷
37. The town was encircled by belligerent forces and the population did not evacuate.¹⁵⁸
38. On 25 January, the presence of M23/RDF was reported very close to the centre of Mweso, including in the vicinity of the general hospital, where a large number of civilians had already taken refuge. M23 confirmed in a public statement issued on 25 January 2024 that the armed group was firmly in control of Mweso.¹⁵⁹ FARDC troops based in Katsiru fired several rounds of heavy artillery to support Wazalendo troops who were fighting M23 on the ground.¹⁶⁰ At least three rounds fell onto populated areas of Mweso that day, including close to the hospital, presumably targeting M23/RDF positions.¹⁶¹

¹⁵⁴ Local sources

¹⁵⁵ UN sources, confidential sources, researchers, victims and eyewitnesses.

¹⁵⁶ Reported by two confidential sources

¹⁵⁷ Confidential source

¹⁵⁸ Confidential sources.

¹⁵⁹ See statement by Lawrence Kanyuka, M23 spokesperson, posted in the morning of 25 January 2024, at <https://x.com/LawrenceKanyuka/status/1750388870913421649>

¹⁶⁰ Eyewitnesses, FARDC sources, researchers, confidential sources.

¹⁶¹ Confidential sources.

39. According to witness testimonies, the first round landed on a brick house in the Himbi neighbourhood, killing 10 persons, injuring another 13, and completely destroying the house. The victims were all civilians who had sought shelter in this house, as it was one of the few solid constructions in town. A second round hit the house of a protestant pastor in the Kadaf neighbourhood, where 3 civilians were killed and at least another five injured. At least 13 civilians were killed and 17 injured that day,¹⁶² with a final death toll of 19 civilians subsequently reported.¹⁶³
40. On the day of the attack, M23/RDF positions were located on hills surrounding Mweso town, including the Bushanga hill in Mweso, and on a hill commonly called “Chaine Gaza”. Mweso town lies nestled beneath these hills. FARDC elements were positioned in Katsiru and a tea plantation commonly referred to as “JTN” (*Jardin Theicole de Ngeri*), located approximately 10-15 kilometres east of Mweso. Witnesses reported the presence of mortars at these locations, and of a 12-tube multiple rocket launcher in the FARDC arsenal based in Katsiru. The troops based in Katsiru were under the command of FARDC Colonel Bwira of the 3412th regiment.¹⁶⁴ Several sources confirmed that the mortar rounds that killed the civilians on 25 January were fired by FARDC who was targeting M23 positions in Mweso and on the surrounding hills.¹⁶⁵ In addition, confidential sources, including military sources, confirmed that the FARDC hierarchy acknowledged that it was a mistake in targeting, and claimed to have removed the person who fired the weapons from his post, because he was “undisciplined” and had made such mistakes before.¹⁶⁶
41. Despite this acknowledgment, FARDC issued a statement blaming the M23 for the bombing and civilian casualties in Mweso (see copy of the statement below).¹⁶⁷ In a communiqué issued on the same day (see copy of the communiqué below), M23 vehemently denied this claim, accusing in turn the FARDC and the armed forces supporting it of bombarding Mweso with “mortar 120 mm, 107 mm rockets (Katiusha) and 122 mm (BM)”.¹⁶⁸ The Group could not verify the calibre of the shells used.
42. Several sources also reported that the following day, on 26 January 2024, the FARDC ordered the evacuation of civilians granting them three hours to leave Mweso, and that M23 allowed the civilians to leave. Local sources and witnesses confirmed that most civilians evacuated Mweso on 26 January. While such a measure may have contributed to preventing casualties, it further denotes the negligence of FARDC commanders in considering proportionality or taking all precautions prior to issuing attack orders (see para. 96 of the report).

¹⁶² Eyewitnesses, FARDC sources, researchers, confidential sources.

¹⁶³ UN source, humanitarian and civil society sources, reported publicly. See <https://www.radiookapi.net/2024/01/29/actualite/societe/nord-kivu-la-communaute-humanitaire-profondement-troublee-par-les/>; and <https://www.rfi.fr/fr/afrique/20240209-rdc-la-situation-securitaire-a-l-est-du-pays-est-de-plus-en-plus-inquietante-alerte-msf>

¹⁶⁴ Two confidential sources

¹⁶⁵ Ten confidential sources, and military intelligence source

¹⁶⁶ Confidential military source, direct witness

¹⁶⁷ See <https://estinfo.net/2024/01/25/masisi-voici-la-reaction-des-fardc-apres-le-bombardement-des-civils-a-mweso/>

¹⁶⁸ See <https://x.com/LawrenceKanyuka/status/1750750646251221386>



COMMUNIQUE DE PRESSE

Les Forces Armées de la République Démocratique du Congo, condamnent avec la toute dernière énergie les morts et blessés innocents causés ce jeudi 25 Janvier 2024 à MWESO par l'armée Rwandaise et ses alliés du M23.

En effet, c'est depuis la nuit d'hier 24 janvier 2024 que les terroristes du M23/RDF ont lancé plusieurs attaques sans succès sur les positions des FARDC à KANYANGOWE, MWESO, MUDUGUDUGU et MUSHEBERE dans le territoire de MASISI.

Réagissant aux dites attaques, les FARDC ont d'une manière professionnelle contenu la barbarie de l'ennemi jusqu'à le repousser en profondeur au-delà de la cité peuplée de MWESO afin d'éviter des dégâts collatéraux du côté de la population civile.

Ayant constaté la perte du contrôle de la cité de MWESO, les terroristes du M23 appuyés par l'Armée Rwandaise, ont dans leur fuite largué à l'aveuglette des bombes au mortier 120 orientées dans la dite cité, causant ainsi la mort de 19 (DIX NEUF) personnes et 27 (VINGT SEPT) blessés parmi les civiles innocents.

Considérant cet acte terroriste comme une violation grave du Droit International Humanitaire, les FARDC appellent la communauté internationale à se saisir de ces bavures et d'en tirer toutes les conséquences qui s'imposent.

Toutefois, les FARDC rassurent la population qu'elles restent déterminées à bouter hors du Territoire National l'armée Rwandaise et ses alliés du M23.

Fait à GOMA, le 25 JAN 2024



NDJIKE KAIKO Guillaume
LtCol
Porte-Parole FARDC/Nord Kivu

Official FARDC communiqué signed by Lt-Col Ndjike, FARDC/Nord Kivu Spokesperson, issued on 25 January 2024, blaming M23 and RDF for the bombing in Mweso



OFFICIAL COMMUNIQUE OF JANUARY 25th, 2024

The M23 Movement Directorate is extremely concerned by the ongoing slaughtering of the civilian population by the Kinshasa regime, using heavy artillery (*Mortar 120mm, 107mm (Katiusha) and 122mm (BM)*), combat drones, combat tanks and combat aircraft, hence, it informs the public of the following:

1. The M23 condemns in the strongest terms, the horrific crime against humanity perpetrated on January 25th, 2024, in MWESO by the coalition forces of the Kinshasa regime (*FARDC, FDLR, MERCENARIES, MILITIAS, BURUNDI NATIONAL DEFENCE FORCES and THE SADC FORCES*), under the total silence of the International Community and the support of MONUSCO (UNITED NATIONS Mission in DRC).
2. Bodies of babies, women and men lie on the floor, the houses, churches and schools are destroyed. The provisional toll of the Kinshasa regime apocalyptic attacks in MWESO is:
 - 20 civilians killed
 - 17 civilians severely wounded
 - Many displaced and others uncounted for
3. It has been evidenced that the Kinshasa regime coalition's forces have lamentably failed on the battlefield, being unable to shake M23 defence lines, the said coalition's forces have changed their tactics and targeted civilian populations instead. The M23 has warned many times the International and National Community of this new Modus Operandi of the Kinshasa regime coalition's forces that continue to commit war crimes and crimes against humanity in broad daylight.
4. The M23, yet again, is calling on the International Community to break its silence on the ongoing ethnic cleansing, war crimes and crimes against humanity that continue to be committed by Monsieur Félix Antoine TSHISEKEDI TSHILOMBO and he must right now stand trial for these horrendous butchering of the civilian population.

The Kinshasa regime, through its North Kivu military spokesperson, rushed to publish a laconic press release to deny the carnage it had just perpetrated against the population of Mweso. The victim population eyewitnesses the perpetrators of these heinous crimes. Kinshasa regime bears all the responsibility. The M23 is unequivocally determined to protect the civilian population and will not tolerate these repeated crimes.

Bunagana, January 25th, 2024

Head of the Department of Communication and Media
M23 Movement Spokesperson

Lawrence KANYUKA

Official M23 communiqué issued on 25 January 2024 related to the bombing in Mweso

Annex 63 (para. 97)**Military positions established near or within civilian settlements****Positions militaires établies à proximité ou à l'intérieur d'agglomérations civiles**

Military positions were often established close to civilian settlements, significantly increasing the exposure of civilians to indiscriminate or targeted attacks. In armed conflict situations, IHL prohibits the use of civilian property and possessions as a shield for military operations or objectives.¹⁶⁹

Regarding the installation of artillery positions near civilian settlements by FARDC and SAMIDRC, until their removal on 18 February 2024, see annex 62, paragraph 6.

The Group received testimonies from multiple sources, including witnesses in M23/RDF-controlled territories, confirming the tendency of M23 to set up bases near or in civilian settlements, and housing officers and/or ammunition in civilian dwellings, to protect them from aerial bombings (see annex 27, and annex 62, para. 3).

Aerial imagery confirmed that as M23 was consolidating its positions after recapturing Kitchanga on 21 October 2023 (see also [S/2023/990](#), para. 26), it was setting up military positions in the immediate vicinity of IDP camps. As shown on the images below captured on 6 November 2023, a M23 camp was set up between two IDP camps on a hilltop around Kitchanga, as the digging of trenches around the camp was still ongoing.



¹⁶⁹ Additional Protocol 1, article 51.



Aerial images above provided by UN source

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Annex 64 (para. 98)

International Humanitarian Law provisions regarding use of indiscriminate weapons

Dispositions du droit international humanitaire relatives à l'utilisation d'armes à caractère non discriminatoire

Explosive weapons such as bombs, missiles and artillery shells, are considered indiscriminate by design because they have a wide area of impact and cannot be precisely targeted to minimize harm to civilians and civilian objects. As a result, collateral damage from their use, including civilian casualties and damage to civilian infrastructure, is both likely and predictable, especially in densely populated urban areas where civilians are more concentrated.

Failure to adopt effective precautionary measures in selecting means and methods of attack to mitigate civilian casualties, injuries, and property damage aligns with the definition of an indiscriminate attack under International Humanitarian Law, notably Additional Protocol I, articles 51 and 57, as well as I rules 7, 71 and 72 of the Customary International Humanitarian Law on the prohibition of indiscriminate attacks and of certain means and methods of warfare.¹⁷⁰

¹⁷⁰ The large-scale commission of such acts can constitute war crimes, in virtue of article 8(2)(b)(iv) or (v) of the Rome Statute of the International Criminal Court.

Annex 65 (para. 101)

M23 child recruitment in DRC

Recrutement des enfants par M23 en RDC

1. Multiple sources, including several former M23 combatants, some minors at the time of their recruitment, described a heavy recruitment drive by M23 which has intensified in recent months. The sources reported incidents of forced recruitment as well as recruitment by deceit, whereby recruits were promised the payment of several hundreds of dollars in return for joining M23, money which was subsequently not paid. Most children were forcibly recruited.¹⁷¹ An ex-M23 combatant, recruited by deceit into the group commanded by M23 “colonel” Erasto, reported that over 70 Hutu recruits were taken from Mweso to Tchanzu for training in 2023.
2. On 18 December, 450 local authorities, community leaders, including village and locality chiefs, were reportedly taken by M23 throughout Bwisha *Chefferie*, in Rutshuru territory, and sent to Tchanzu for training. Aerial imagery taken on 19 December 2023 of Tchanzu shows ongoing trainings of groups of men in civilian clothing (see annex 26).¹⁷² In January 2024, recruitment of young civilians was still ongoing in the Bwisha and Bwito chiefdoms.¹⁷³ Several hundred men, including children, were reportedly recruited in such circumstances and sent to military training centres, notably to Tchanzu and Bwiza (see paras. 37 to 39 of this report).¹⁷⁴

Sensitization campaigns led by M23 through local leaders and public meetings

3. Since November 2023, it was reported that M23 had convoked the local population in several areas under their control, demanding local authorities and community leaders to mobilize young men to join the M23, including by setting minimum quotas for recruitment.¹⁷⁵ In December 2023, local sources reported that more than 100 young men had fled their villages in the Groupement de Jomba, Bweza and Kisigari, in Rutshuru territory, to seek refuge elsewhere for fear of being recruited into the M23, as awareness-raising campaigns promoting the recruitment of young people were underway in M23 areas through local chiefs.¹⁷⁶
4. Witnesses reported that such campaigns were ongoing from January 2024 in the Bwisha, Bwito and Jomba chiefdoms in Rutshuru territory, and Mweso-Kitchanga area in Masisi.¹⁷⁷ Similarly, M23 requested neighbourhood leaders (“Nyumbakumi”)¹⁷⁸ to identify youth from each household for recruitment. Witnesses reported that compliance was mainly due to fear of reprisals; namely, those who did not comply were abducted.¹⁷⁹ Sources also reported that ideological training was provided to local leaders who accepted allegiance to M23, such as in Nyongera and Tchanzu in early January 2024. These leaders were then used for sensitization and recruitment efforts in their communities.¹⁸⁰ Recruitment, as well as ideological and military training for M23 recruits, continued to be documented after January 2024 (see para. 38 of this report).¹⁸¹
5. It is noteworthy that on 23 January 2024, Bertrand Bisimwa, president of M23, issued a decision – “considering the need to strengthen the political activities of the [M23] in order to maximise its results”, in consultation with the high military command, “having regard to the necessity and urgency” of the matter – naming Rukomera Désiré and Kulu Jean-Louis as the head and deputy, respectively, of the “Department for mobilisation, ideological training of leaders and setting up the movement” (see annex 25).

¹⁷¹ Former M23 combatants, UN, FARDC, humanitarian and NGO sources, researchers, local sources including eyewitnesses, and community leaders.

¹⁷² UN source. The camp grounds on the images matched descriptions of Tchanzu camp by former conscripts, including children.

¹⁷³ UN sources, Local and confidential sources, UN

¹⁷⁴ Former M23 combatants.

¹⁷⁵ Former M23 combatants, local sources, researchers, confidential sources, UN, NGO and humanitarian sources.

¹⁷⁶ Local sources, confidential sources, UN source.

¹⁷⁷ Confidential local sources, UN sources, civil society sources

¹⁷⁸ Traditional chief ruling over 10 households.

¹⁷⁹ Confidential local sources, demobilized combatants, UN sources

¹⁸⁰ UN and confidential local sources

¹⁸¹ Former M23 combatants, local sources, researchers, confidential sources, UN, NGO and humanitarian sources.

6. In reaction to widespread reports of forced recruitment on a massive scale conducted by M23, civil society actors and FARDC publicly alerted and condemned the systematic practice of forced recruitment and training, including of children. See below a statement issued by FARDC on 19 January 2024 and a statement issued on 6 April 2024 by the representative of the Youth Council of Rutshuru territory.



Press statement issued by FARDC/Nord Kivu spokesperson on 19 January 2024, denouncing the practice of forced recruitment, as well as the recruitment by deceit, of youth and minors by M23/RDF in areas under their control.



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Dénonciation et Alerte !!!!!

Le Conseil Territorial de la Jeunesse du Territoire de Rutshuru dénonce fermement l'organisation par le mouvement terroriste du M23-AFC de la formation de cadres politiques en idéologie de la quatrième cohorte, regroupant plus de 1000 jeunes recrutés dans tout le coin de la République Démocratique du Congo. Cette formation qui débute ce dimanche 07 avril 2024 au Camp Militaire PENA à Rutshuru Centre et au Camp Nyongera à Kiwanja quartier Mabungo, durera deux mois.

Le CTJ-Rutshuru alerte le Gouvernement Congolais sur ce danger qui menace notre république. Après cette formation, ces jeunes retourneront dans leurs Villes et Territoires pour travailler au compte du mouvement terroriste du M23-AFC et recruter d'autres jeunes. Nous exhortons la jeunesse du Nord-Kivu et du territoire de Rutshuru en particulier à ne pas céder à cette manipulation des sanguinaires du M23-AFC-RDF-UPDF et à rester toujours aux côtés du Gouvernement congolais.

Nous demandons à toutes les autorités compétentes de prendre des mesures immédiates pour stopper cette formation et empêcher le recrutement de jeunes par des groupes terroristes. Ensemble, combattons le terrorisme et préservons la paix et la stabilité de notre pays. Nous comptons sur la mobilisation de tous pour contrer cette menace. Restons vigilants et unis contre ces ennemis de la démocratie.

Fait à Goma, 06 avril 2024

Pour le Conseil Territorial de la Jeunesse de Rutshuru

TWIZERE SEBASHITSI Patient
Président



Statement by the president of the *Conseil Territorial de la Jeunesse de Rutshuru* dated 6 April 2024. Document provided by confidential source

Annex 66 (para. 104)

Recruitment of children by RDF officers in refugee camps in Rwanda

Recrutement d'enfants par des agents RDF dans les camps de réfugiés au Rwanda

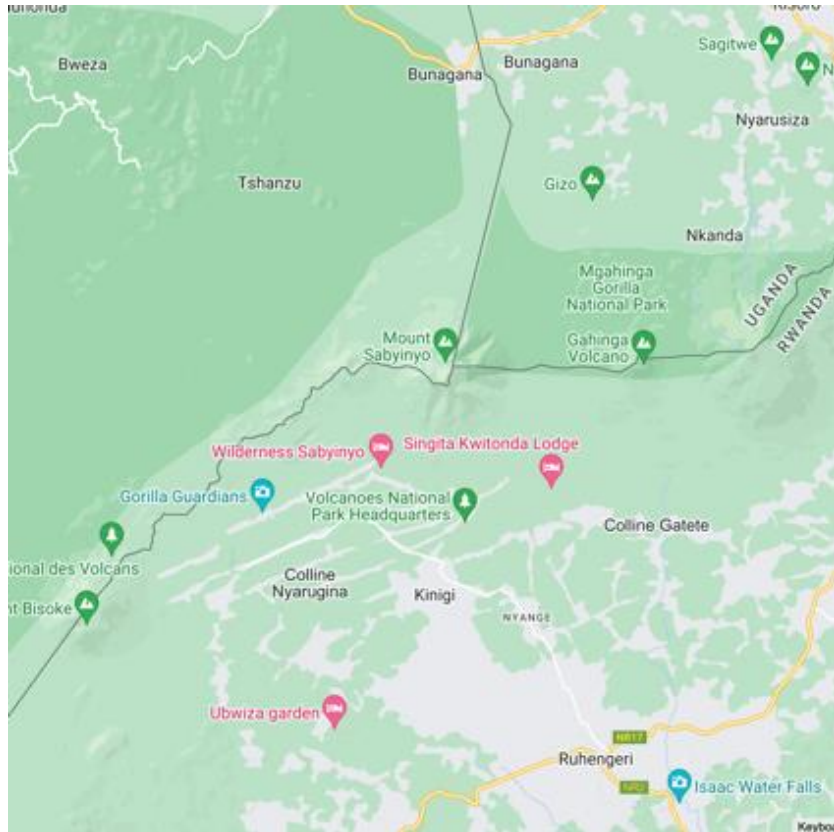
1. A former RDF officer interviewed by the Group explained that recruitment in Rwandan refugee camps is conducted by trained RDF intelligence officers, who chose the subjects to recruit. He explained that recruitment is carried out in secret, but even when families become aware of the recruitment, they are not allowed to object, as it is considered a “violation”. The recruiters confiscated the phones of the recruits and forbade them to be on social networks.

Testimonies of children recruited by RDF in Rwanda about the recruitment scheme and smuggling route to Rwanda

2. Five children ranging from the ages of 14 to 17 testified having been recruited in refugee camps in Rwanda – three in the Mahama refugee camp, and two in the Gisigara camp. The boys all reported having been taken in similar circumstances. They described having been taken from the refugee camp – the majority from school and together with other children of their age – by Rwandan men (speaking Kinyarwanda), who were in fact soldiers dressed in civilian clothing, driving black pick-up trucks. They were all taken to Tchanzu for training, where they have all testified having met many other children recruited by force, some as young as 10.
3. Three children – two recruited in Gisigara and one in Mahama – claimed having been driven to the border between Rwanda and DRC, in a place called Musanze, Rwanda [also known as Ruhengeri],¹⁸² and from there taken to Tchanzu, on foot, without crossing any official borders. The Group notes that Musanze (or Ruhengeri) is directly opposite from Tchanzu, on the other side of the border, in DRC. The two localities are only separated by Mount Sabinyo (see map below), M23’s historical stronghold. The existence of footpaths linking Tchanzu to Rwanda, used by M23 and RDF, has been confirmed by multiple sources.¹⁸³

¹⁸² https://en.wikipedia.org/wiki/Musanze_District

¹⁸³ Intelligence sources, ex-combatants, UN source.



Map depicting the area of Musanze /Ruhengeri (Rwanda), near the border with DRC and Uganda, directly opposite from Tchanzu (DRC) and in proximity to Bunagana (Uganda)

Map data ©2024 Google

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

Annex 67 (para. 110)**Recruitment and use of children by Wazalendo groups in Petit Nord****Recrutement et utilisation des enfants par les groupes du Wazalendo dans le Petit Nord**

1. The recruitment and use of children by Wazalendo armed groups has been widely reported. Most armed groups increased their recruitment drive to replenish their troops, considering their active engagement in ongoing fighting. Children were an easy target for mobilisation, and the majority joined voluntarily, not by force. Many children who were separated from their families due to the conflict ended up joining the Wazalendo groups. Amidst chronic insecurity and ethnic tensions, parents and communities accepted or even encouraged children to join armed groups, viewing it as their obligation to offer one or more children to a group claiming to defend their community.¹⁸⁴

Challenges in attributing responsibility

2. The Group's findings on the use of children by Wazalendo groups are first and foremost based on direct observations by members of the Group during field missions, including in various locations and IDP camps around Goma and Sake. The Group also interviewed children separated from the armed groups, and interacted with children carrying weapons and wearing uniforms, operating alongside other adult Wazalendo armed group members and/or FARDC elements. The Group has a database of photographs depicting very young children wearing uniforms and/or weapons, on active military duty in various locations in Goma and Sake. Photographs are not published to protect the identity of the children, but they remain on file with the Secretariat. The Group also collected information on child soldiers from adult ex-combatants who served in armed groups, active combatants, community and civil society leaders, IDPs, FARDC officers and eyewitnesses. The Group also consulted UN agencies and partners, including local transitory care centres for children associated with armed groups.
3. While the recruitment and use of children was widely reported and acknowledged by the community and armed group members alike,¹⁸⁵ attribution of responsibility was challenging, as several groups often operated together and were referred to globally as “Wazalendo” or “VDP” (see also para. 60). Further identification was sometimes possible based on names of commanders or location. For example, a 17-year-old boy from Walikale was lured by his friend into joining a Wazalendo group in Kibati. He underwent military training and in December 2023 participated in combat near Mubambiro. He had spent several weeks in the armed group, yet he was unable to identify the group beyond its Wazalendo denomination.¹⁸⁶
4. Sometimes the combatants themselves intentionally hid behind the Wazalendo banner to avoid identification. For example, a child combatant, armed and wearing a uniform and a Wazalendo armband, identified himself only as a Wazalendo combatant.¹⁸⁷ The Group also witnessed on two occasions how FARDC soldiers and adult Wazalendo combatants were hiding or chasing away the child combatants, whom they called “kadogo” in Swahili¹⁸⁸ in the presence of the Group, to prevent them from interacting with the Group.¹⁸⁹

Identification of armed groups using children

5. Several sources identified the presence of children within the ranks of NDC/R of Guidon, notably in Pinga, and reported the recruitment of at least 9 minors in March 2024 in Walikale, as part of an ongoing recruitment

¹⁸⁴ UN, civil society, community and military sources, combatants, ex-combatants including children, eyewitnesses, photographic evidence, armed group leaders

¹⁸⁵ Interviews conducted by the Group

¹⁸⁶ Child interviewed by the Group

¹⁸⁷ Interaction by the Group with a child soldier in Goma

¹⁸⁸ Swahili term for “small” or “child”, generally used to identify child soldiers.

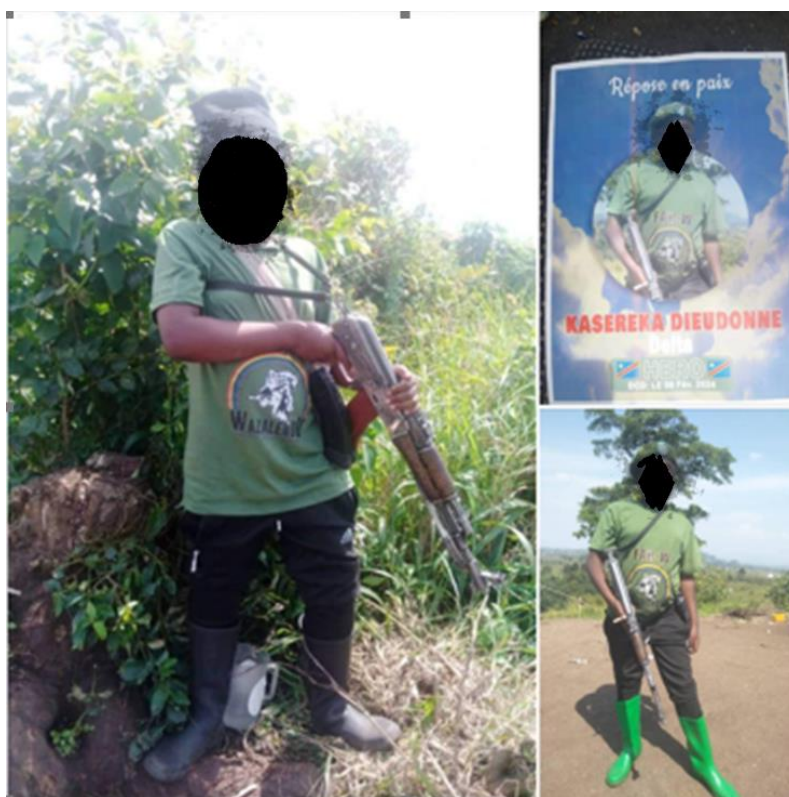
¹⁸⁹ In Goma and in Sake, in March 2024.

effort.¹⁹⁰ Similarly, the presence of children among the Nyatura Abazungu of Jean-Marie, APCLS of Janvier, CMC of Domi, UPCRN/Nyiragongo, FDLR-FOCA, FAR-W were consistently reported, including by several Wazalendo combatants and leaders.¹⁹¹

6. The presence of children among the Wazalendo groups operating in Nyiragongo and the wider Sake area was easier to document due to the proximity of these locations to Goma, where protection actors as well as the Group could have direct access to witnesses, and witness first-hand the presence of the children.

Wazalendo armed groups operating in the area of Nyiragongo

7. Nyiragongo was dominated by the presence of UPCRN under commander Gentil, CMC/Domi, FDLR-FOCA, FAR-W and APCLS.¹⁹² FDLR-FOCA commander Gaston had a child soldier among his escorts.¹⁹³ One source closely affiliated with the group of CMC/Domi stated that these groups were “making the law” in the Nyiragongo, operating visibly including within the vast IDP settlements north of Goma, such as in and around Kanyaruchinya.¹⁹⁴ Several sources cited the well-known case of a 15-year-old boy called Dieudonne Kasereka Byaluba, a child combatant within the ranks of FAR-W/Nyiragongo, who was killed in combat in February 2024. Images of the child wearing a t-shirt with the FAR-W inscription and a Wazalendo logo, holding a weapon was also posted on social media.¹⁹⁵ An obituary announcement celebrated him as a hero (see photographs below).



Photographs provided to the Group by a confidential source

¹⁹⁰ Community sources, confidential sources, a high-ranking member of an armed group.

¹⁹¹ Community sources, UN and confidential sources, members of armed groups, demobilized children, individuals working with armed groups.

¹⁹² Idem

¹⁹³ Source close to FDLR-FOCA leadership.

¹⁹⁴ Community sources, confidential sources, members of armed groups, demobilized children, individuals working with armed groups.

¹⁹⁵ https://x.com/maishardc/status/1756243448707858830?s=46&t=_n75XflAIYYaxKQtM7ZzVg

Wazalendo armed groups operating in the area of Sake

8. The main Wazalendo armed groups operating in Sake area, which was the most active theatre of operations over the last few months, were APCLS under the command of “general” Kambuzi, FDDP of “general” Defender (see para. 66), UPCRN under the command of “general” Black, Nyatura Abazungu under the command of “general” Ignas, FDLR-FOCA, and CMC.¹⁹⁶
9. The Group has seen, interacted with, and photographed very young children who appear to be well under 18 years of age, with weapons and occasionally in full military uniform, in Goma and Sake (see also para. 111). Photographs are not published to protect the identity of the children but remain on file with the Secretariat.
10. For example, on 10 March 2024 the Group visited various locations in Sake, including the military camp in Mubambiro and other locations reportedly used by Wazalendo combatants, such as the “Chez JC” hotel near Mubambiro. The presence of many children in military uniform and carrying weapons at this location had been reported to the Group prior to this visit. The Group was able to confirm the presence of two children, visibly under 18 years of age, among other adult combatants. Both children were wearing full military uniforms and assault rifles. The Group interacted with the children, who claimed to be members of FDDP group of “general” Defender. Among the over a dozen adult combatants who were present, the majority identified as FDDP combatants, and a few as APCLS. The Group also observed the presence within the compound of at least six FARDC soldiers with a FARDC pick-up vehicle. Some were aggressive towards the Group and asked the Group not to interact with the child combatants who were present. Individuals based in the area confirmed that the hotel was used as a base by Wazalendo combatants, and that child soldiers were regularly among them.¹⁹⁷
11. Multiple sources confirmed that FARDC Colonel Cyprien Sekololo (see paras. 63 and 112 of the report) has been using “Chez JC” as his base to conduct meetings with Wazalendo groups. FARDC Colonel Sekololo admitted to this fact himself, stating that the Wazalendo combatants could not be seen within the FARDC camp at Mubambiro.¹⁹⁸ Colonel Sekololo denied having seen any children at the hotel, and claimed that it was the first time he heard about the presence of children among the Wazalendo.¹⁹⁹

Presence of child combatants among Wazalendo groups in Goma

12. The Group also observed the presence of a child combatant in the centre of Goma, at the entrance of an FARDC base. The child was wearing full military uniform, an armband with the Wazalendo inscription, and carrying a weapon. The Group saw him exiting the military camp in the company of other soldiers, and in plain sight of the FARDC elements guarding the entrance of the base. The Group briefly interacted with the child, until the FARDC guards noticed the interaction and ordered the child to go away, threatening the Group to immediately leave and not take pictures. They addressed the child in Swahili, calling him “kadogo”. The Group was able to take photographs of the child, which remain accessible in the Group's confidential database.
13. A similar incident was reported to the Group by a confidential source, who was present in Sake and witnessed FARDC Lieutenant-Colonel Ndjike Guillaume, spokesperson of FARDC/Nord Kivu, ordering “kadogos”, armed and wearing military uniforms, to leave since foreigners were present in the area. Photographs of the children in question are on file with the Secretariat.

¹⁹⁶ FARDC, members of armed groups, individuals working with armed groups, community-based confidential sources, civil society, UN sources, researchers, and direct observations by the Group.

¹⁹⁷ Three confidential sources

¹⁹⁸ Interview with the Group of experts in March 2024

¹⁹⁹ Idem

Annex 68 (para. 113)**Impunity exacerbating the use of children****L'impunité aggrave l'utilisation des enfants**

1. Wazalendo commanders were more reluctant to release children from their ranks since the Wazalendo/VDP were recognized by the Government, and praised their contributions in the fight against M23. In some cases, initiatives by protection actors advocating for the release children from the armed groups yielded limited and temporary results, as most children returned to the armed group shortly after release.²⁰⁰ Other sources reported that commanders were often hiding the children from the FARDC command or other actors who could oppose or report the use of children (see also annex 67 above).²⁰¹
2. Such initiatives proved insufficient and ineffective.
3. For example, a high-ranking member of CMC/Domi claimed that the group's leadership prohibited the use of minors, but at the same time he was unaware what the punishment would be in case of transgression. He also stated that the most recent instance of FARDC issuing instructions against using children was in December 2022 in Kitchanga. He denied the presence of children, although various sources reported the continued presence of children within the ranks of CMC/Domi (see para. 110). Nevertheless, he stated that all the other Wazalendo groups were using children.
4. A civil society representative from Sake informed the Group that the presence of child combatants among the Wazalendo groups operating in Sake was reported to an FARDC commander called Papy, who was coordinating operations with the Wazalendo groups in Sake. In response, commander Papy informed the Wazalendo during a meeting in December 2023 that it was forbidden to use children, but his verbal instructions were not followed up by any action. The commander left the area soon after the meeting and the presence of children continued to be reported.
5. During an interview with the Group in March 2024, FARDC Colonel Sekololo, provincial coordinator of the Wazalendo and reporting directly to the Governor of North Kivu (see para 63), declared that he was responsible for all matters related to the Wazalendo, including discipline. He denied the presence of child soldiers but admitted there were "disciplinary issues" with the "Wazalendo". He declined to respond when asked about these "disciplinary issues" and measures taken in response to transgressions/violations committed by Wazalendo.

²⁰⁰ Community-based source working with armed groups

²⁰¹ Community-based sources, civil society representatives, UN source

Annex 69 (para. 114)**DRC Legal framework on the prohibition to recruit and use children in armed conflict****Cadre juridique de la RDC relatif à l'interdiction de recruter et d'utiliser des enfants dans les conflits armés**

The DRC ratified numerous binding international and regional legal instruments regarding the involvement of children with armed forces and groups,²⁰² constitutionally setting the minimum age for voluntary recruitment at age 18. Notably, the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, and the Paris Principles and Guidelines on the association of children with armed forces and armed groups. These instruments establish clear standards for the protection of children during armed conflict and require state parties to take measures to prevent the recruitment and use of children in hostilities. Violations of these provisions are subject to penalties under national laws, with the aim of ensuring the safety and well-being of children in conflict-affected areas.

Enacted in 2009, DRC's Child Protection Code²⁰³ strictly prohibits the recruitment or use of children under the age of 18 by armed forces and armed groups. Violations of this prohibition carry severe penalties ranging from 10 to 20 years of imprisonment (Article 187). The Code criminalizes abduction, arbitrary arrest, rape, and torture of children under Article 53. These offences are atrocities often experienced by child soldiers.

The Code considers a "child" as any person under the age of eighteen, and recognizes the category of "child in exceptional circumstances", referring to children in situations of armed conflict, tension, civil unrest, natural disasters, or significant and prolonged deterioration of socio-economic conditions. Children in this category receive enhanced protection under the Code, and offenses committed against them are subject to more severe punishments. Furthermore, the Code mandates state authorities to ensure the release and reintegration of children from armed forces and groups (article 71).

On 4 October 2012, the DRC also signed an Action Plan with the United Nations to prevent the recruitment and use of children and sexual violence against children by the FARDC. A Road map to accelerate the implementation of the Action Plan was adopted in September 2015.²⁰⁴

²⁰² The DRC has ratified the Convention of the Rights of the Child (1990), International Labour Organization Convention 182 (2001), the Additional Protocols to the Geneva Conventions (1982 and 2002). It is a signatory to the African Charter on the Rights and Welfare of the Child.

²⁰³ Loi No. 09/001 du 10 janvier 2009 portant protection de l'enfant. Full text accessible at <http://www.leganet.cd/Legislation/JO/2009/L.09.001.10.01.09.htm>

²⁰⁴ <https://childrenandarmedconflict.un.org/wp-content/uploads/2016/02/DRC-Fact-Sheet-September-2016.pdf>

Annex 70 (para. 116)

M23 and RDF targeting of civilians, notably killings and executions**Les M23 and RDF prennent pour cible les civils, notamment les meurtres et les exécutions**

1. Similar to their previously documented *modus operandi* (see [S/2023/431](#), para. 65), M23 and/or RDF continued to attack predominantly Hutu areas, where they systematically abducted, tortured and executed men and destroyed villages, predominantly in FDLR-FOCA and Nyatura-CMC strongholds.²⁰⁵ M23/RDF undertook these operations with the aim of either punishing civilians suspected of having ties with FDLR or Nyatura groups, suppressing perceived dissent against their territorial authority, targeting individuals viewed as threats, or instilling fear in the civilian population to ensure compliance and obedience.²⁰⁶
2. The pattern of attacks documented by the Group reveals a particular concentration of incidents in the localities of Bukombo,²⁰⁷ Burambo and Nyanzale in the Bwito *chefferie* (Rutshuru), in Busanza, *chefferie* of Bwisha (Rutshuru), traditionally considered FDLR-FOCA and Nyatura strongholds. The majority of victims killed, documented by the Group, were of Hutu ethnicity. It is noteworthy that Bukombo is the native area of CMC leader “general” Domi.²⁰⁸ Killings, including executions, were however recorded in other areas as well.
3. Below is a selection of the most representative incidents, although it is not an exhaustive account of all the incidents documented by the Group.

Bwito collectivity

4. On 15 July 2023, M23 elements abducted 15 persons from neighbouring villages, forcing them to carry baggage. Of the 15 individuals, the bodies of 11 male victims were later found on Rubona hill, near Bukombo centre. The victims were identified by local sources.²⁰⁹ Several victims presented gunshot wounds to the head.²¹⁰ The fate of the other four individuals remains unknown. The killings were preceded by clashes between Nyatura-CMC and M23, and the victims would have been abducted as M23 were retreating towards their position on Rubona hill, which they eventually abandoned. The bodies were discovered after M23 vacated the hill.²¹¹ In the village of Kashavu, several houses of civilians were burned down.²¹²
5. On 25 November 2023, 13 civilians who were fabricating charcoal in the Virunga National Park, were shot and killed in Burambo by M23. Among the victims, presumed to be associated with enemy armed groups,²¹³ were nine men, three women and a young girl.
6. Between 17 and 27 December 2023, at least nine civilians were executed by M23 in the Bwito *chefferie*, on grounds that they were supporting Nyatura-CMC. Among the victims was the village chief of Shonyi, who was abducted and subsequently killed.²¹⁴
7. On 3 January 2024, in Mashiga, *groupement* of Bukombo in the *chefferie* of Bwito, three civilians were executed by M23 combatants. The victims were strangled. The men were abducted to carry baggage and were subsequently killed, as they were accused of supporting Nyatura-CMC and FDLR.²¹⁵

²⁰⁵UN and confidential sources, military sources, witnesses, community-based confidential sources, researchers, photographic evidence.

²⁰⁶ Confidential sources, witnesses, community-based confidential sources, researchers

²⁰⁷ Bukombo is comprised of the following localities: Bukombo, Karambi-Kahemba, Katsiru, Makomalehe, Mashiga.

²⁰⁸ According to sources close to “general” Domi.

²⁰⁹ Identified by name in the document listing victims of killings in the Bukombo *groupement*, on file with the Group.

²¹⁰ UN sources, community-based confidential sources, researchers, video and photographic evidence.

²¹¹ Community-based source, video evidence, UN source.

²¹² *Idem*.

²¹³ UN sources, confidential community-based source

²¹⁴ UN sources, confidential community-based source. Victims are identified by name in a document listing victims of killings in the Bukombo *groupement*, on file with the Group.

²¹⁵ Five community-based sources, UN sources, video evidence.

8. On 5 March 2024, in Nyanzale, 18 civilians were reportedly killed²¹⁶ in the context of fighting between M23/RDF and FARDC supported by armed groups, mainly Nyatura-CMC who have been based in Nyanzale. While the majority were killed by bombs launched by M23 targeting Nyanzale, at least four were victims of targeted killings by M23, who accused them of being family members of armed groups fighting against M23 in the area, notably Nyatura-CMC collaborators.²¹⁷
9. During the night of 30 March 2024, M23/RDF elements killed at least four civilians in the village of Kiringa,²¹⁸ *groupement* of Kihondo, Bwito *chefferie* in Rutshuru territory. Witnesses reported that M23/RDF raided Kiringa in search for members of enemy armed groups. However, they tied up civilians and began executing them. Two civilians managed to escape and reported the incident. Four bodies were found burnt inside a house that was also burnt to the ground. Houses in the village had been set on fire or destroyed.²¹⁹ Photographic evidence received by the Group from confidential sources depict burnt houses and at least two male burnt bodies inside a burnt dwelling. One visibly had his arms tied behind his back.

Bwisha collectivity

10. On 2 February 2024, the mutilated bodies of 13 Hutu male victims, including a 15-year-old boy, were found in Nyuondo, *groupement* of Busanza, *collectivité* of Bwisha, in Rutshuru territory. Some of the victims had their hands tied behind their backs,²²⁰ as clearly seen on photographs received by the Group, leading to conclude that they were executed. The Group received a list with the age and the identity of 12 of the 13 victims. The victims were identified as shepherds and farmers from the area, who were ambushed on their way home from their fields.²²¹ Busanza was firmly under the control of M23 at the time of the incident. However, a Nyatura breakaway group, MPA, who had allied itself with M23 and was following M23 orders, was also active and seen in the area during the time of the incident. One source attributed the killings to this group, while other local sources attributed it to the M23.²²²

²¹⁶ The Group received a list with the identities of the 18 victims killed that day, from a confidential source from the area.

²¹⁷ UN sources, confidential source and community-based source.

²¹⁸ Rwanguba locality

²¹⁹ UN sources, community-based sources, three confidential sources, photographic evidence.

²²⁰ UN sources, civil society and community-based sources, photographic evidence.

²²¹ *Idem*

²²² UN sources

Annex 71 (para. 118)**The Wazalendo did not target any particular ethnic group****Les Wazalendo n'ont ciblé aucun groupe ethnique en particulier***On allegations of targeting the Tutsi population*

1. The Group found no evidence of systematic targeted killings by the Wazalendo armed groups of a particular ethnic group.
2. Conscious of systematic public accusations by M23 and Rwanda of an ongoing genocide against the Tutsi in the DRC, the Group took steps to ensure that potential crimes against the Tutsi population were not overlooked. The Group was aware of the potential risk that the local population sympathising with the Wazalendo would be reluctant to report crimes (notably killings) against ethnic groups perceived to support M23, notably the Tutsis, although such incidents have been reported in the past. The Group interviewed several leaders of the Tutsi community in North Kivu, who stated that while the threat of reprisal killings continued to be real, they had not reported any incidents of targeted killings by Wazalendo armed groups since October 2023 (see [S/2023/990](#), para. 54). Another determining factor may be the fact that most ethnic Tutsi had already fled the areas under the control of Wazalendo armed groups.
3. In addition, the Group was informed that prominent Tutsi leaders from North Kivu had either been arrested by the Congolese authorities or had fled for fear of persecution by these authorities, who systematically accused and arrested Tutsi individuals on suspicion of collaborating with M23/RDF.²²³ The Group obtained a nominal list of over 170 Tutsi individuals currently detained in prisons in Kinshasa and Goma.²²⁴ The Group was unable to independently verify the status of these detentions or whether the due process rights of the detainees had been respected.

Targeting of FARDC officers of Tutsi origin: incidents of mob violence

4. The Group documented several cases of public harassment, assassinations or lynching of FARDC officers of Tutsi or Banyamulenge origin. The below excerpts were provided to the Group by a leader of the Tutsi community from North Kivu. The majority of these incidents were also reported on social media and were confirmed by various sources.²²⁵ The Group found no evidence of direct involvement by Wazalendo armed group members in these incidents.

²²³ Public reporting or interviews with the concerned individuals.

²²⁴ Provided by a representative of Tutsi civil society. The list is available in the Group's archives.

²²⁵ UN sources, civil society, researchers, in some cases family members of the victim.

18 : Le 9 Novembre 2023 : Le Cap FARDC GISORE RUKATURA Patrick alias KABONGO, à Goma, est pris en présence de ses collègues de service par des éléments wazalendo, qui l'ont lynché, et enroulé dans les pneus pour être brûlé.
Aucune enquête initiée.



19 : Le 11 Novembre 2023 : Le Soldat FARDC GISORE (cousin de GISORE RUKATURA) en provenance du Bas-Congo pour Kinshasa, a été exfiltré du véhicule par des jeunes radicalisés, qui l'ont bastonné à coups des bâtons, jusqu'à ce qu'il est mort.
Aucune enquête.



The lynching on 9 November 2023 of FARDC Captain Gisore in Goma was documented and widely publicised on social media.²²⁶ The Group has yet to verify the killing of FARDC soldier Gisore, allegedly the cousin of Captain Gisore.

21: Le 20 février 2024 : Le Policier KAZUNGU, surnommé KAMUNGU, dans le Village de Bugamba, est pris par les jeunes Wazalendo, qui l'ont lynché et brûlé à côté de son bureau de PNC Où il faisait la garde.
Aucune enquête initiée.



22 : Le 4 Mars 2024 : Un Soldat Farde, est pris par des jeunes dans les rues de ma campagne à Kinshasa, qui l'ont mis par terre en le questionnant sur ses origines ethniques tutsies, et comment il s'est retrouvé dans l'armée congolaise, pourtant un tutsi.
Aucune enquête initiée, ni une condamnation des Farde ou des autorités congolaises.



²²⁶ https://x.com/kivuresidence/status/1723036790708228330?s=46&t=_n75XfLAIYYaxKQtM7ZzVg

Location of the first incident is Goma, confirmed by several sources;²²⁷ the second incident occurred in Kinshasa and the video was widely publicised on social media²²⁸

23: Le 17 Mars 2024 : Le Policier SEBANDORE SENGIYINVA

Jean-Luc, à Goma, est pris par des jeunes des groupes des vigilances, et les wazalendo, qui l'ont copieusement tabassé, avant d'être brûlé vif
Aucune enquête initiée



Location of the incident is the Ndosho neighbourhood of Goma²²⁹

²²⁷ Civil society, UN sources, published on social media.

²²⁸ Video on file with the Group. Also published on social media at https://x.com/kivunews24/status/1765138800072589546?s=46&t=_n75XfLAIYyaxKQtM7ZzVg. The Group received an unofficial translation of the conversation taking place between the soldier and an unknown person: "You were in the first defence zone of the FARDC, how did you end up here?"

Q: Looking at you like that you're not Congolese, how did you end up in the Congolese army?

A: I found myself in the Congolese army in this way when I was growing up in 2014 I was 16 years old, I joined the army of the DRC because I wanted to be a soldier but I did not know how to join the army. To get in I gave a sum of 5000fc, we came to Kinshasa in 2014, we went to Maluku, in Maluku we did the parade after the parade we came here to the place where there was a stand.

Q: Who was the Congolese head of state? A: it was Joseph Kabila

Q: who was the chief of staff? A: Didier Etumba

Q: Is that where you became a soldier? A: Yes. I went to Kitona where I did training,

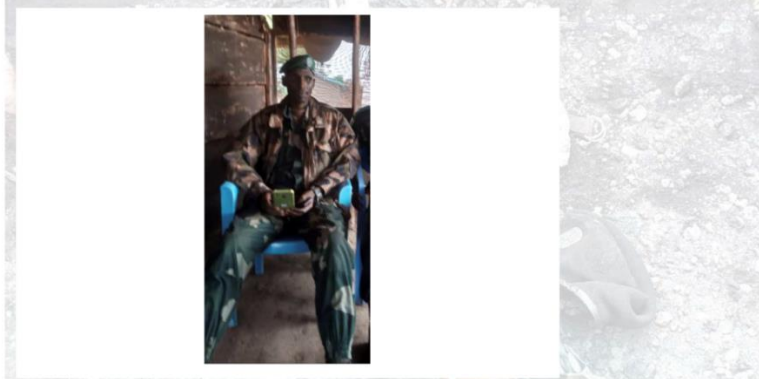
[Unknown speaker]: Leave him alone, what do you drink? A: I drink everything.

[Unknown speaker]: Take some water, drink, don't say we put things in there to poison you, drink too to show there's nothing there. He said he drinks everything, we offered him the time we needed to finish the discussion. We are Congolese, Bantu, we have no problem with anyone. You are Hutu or Tutsi? A: I know I'm Tutsi according to the ideology.

Q: So you're part of Kagame's family line? A: Yes"

²²⁹ Incident confirmed by local sources.

24: Le 24 Mars 2024 : Le Major FARDC KIGABO Eric, à Beni, Province du Nord-Kivu, est fusillé à bout portant par son escorte. Celui-ci avant d'être tué, était trop menacé par des groupes wazalendo, et certain de ses collègues, qu'il est un "Rwandais". Selon un proche de sa famille.



Location of the incident is Beni, North Kivu

Annex 72 (para. 120)

Kidnappings for ransom, arbitrary detentions, and executions perpetrated by Wazalendo armed groups**Enlèvements contre rançon, détentions arbitraires et exécutions perpétrés par les groupes armés du Wazalendo**

1. All Wazalendo armed groups committed serious abuses against the civilian population in areas under their control, including killing/executing civilians accused of cooperating with M23/RDF, with full impunity.
2. Although incidents were widespread and frequent, the targeting and killing of civilians as a form of punishment was not recorded on a systematic scale, or with a *modus operandi* comparable with the killings perpetrated by M23/RDF (see annex 70).
3. Most killings were recorded in the context of either clashes between rival Wazalendo groups, robberies, punishment of civilians for their perceived dissent against the territorial authority of the armed groups' leadership (such as refusing to pay taxes), or to settle personal scores that members of armed groups had with targeted civilians. These killings most often occurred following kidnappings. The armed groups that were most frequently involved in such incidents documented by the Group were NDC-R, APCLS, CMC, UPCRN, Nyatura Abazungu, and FDLR-FOCA.²³⁰

Execution of civilians on accusation of collaboration with M23

4. The Group documented several incidents of civilians executed by Wazalendo armed groups on suspicion of collaboration with M23. One individual witnessed a woman being executed – beaten to death – in November 2023 on commander Gaston's orders because she was accused of being an M23 spy. The same individual witnessed another five persons executed within two days, three of whom were women.
5. Two sources close to the FDLR-FOCA leadership reported that FDLR-FOCA executed several individuals on suspicion of being M23 spies,²³¹ summarily executing them.
6. In one incident on 24 February 2024, in Butale village, *chefferie* of Bashali, in Masisi territory, elements of Jean Marie Bonane's Nyatura group killed five people, including two women and seriously injured another person, all of Hutu ethnicity. The combatants killed the three men on suspicion of being M23 collaborators, together with their wives. The commander in the area where the killing took place was Commander Ignas.²³²
7. On 4 March 2024, elements of Jean Marie Bonane's Nyatura group killed a man and his child after they accused the father of being an M23 collaborator. The incident took place in Mpati village, Bashali-Mukoto *groupement* in the Bashali chiefdom, Masisi territory. The elements were under the command of Bigirabagabo.²³³

Kidnappings for ransom as source of revenue

8. Kidnappings for ransom as a means of securing income became widespread, and particularly affected the area north of Goma and Nyiragongo. The groups operating in the area that were involved in such practices were APCLS, UPCRN, FDLR-FOCA, and CMC. These kidnappings were often accompanied by violence, including

²³⁰ UN sources, civil society, researchers, individuals working with armed groups, military sources.

²³¹ The sources were unable to give specific numbers, merely pointed out that it was a frequent occurrence.

²³² Civil society sources

²³³ Idem

torture and sometimes executions.²³⁴ Sources reported that hundreds of individuals had been kidnapped in such circumstances over the last few months.²³⁵

9. Several sources reported the existence of underground prisons, called “kiboro” (a dungeon), where prisoners and kidnapped individuals were kept.²³⁶
10. Sources informed the Group of the existence of a “kiboro” in the Ka-Lac area of Nyiragongo, close to the volcano, which served as a detention site for individuals kidnapped by APCLS, UPCRN, FDLR-FOCA and CMC. The chief of the prison was commander Biringiro of CMC.²³⁷ FDLR-FOCA leader Gaston and CMC leader Domi were aware of the existence of this prison, where individuals were also executed.²³⁸

²³⁴ UN sources, sources close to these armed groups, a victim of kidnapping, community leaders, civil society sources

²³⁵ Idem

²³⁶ Sources working with FDLR-FOCA and CMC, and a victim of kidnapping.

²³⁷ Confidential source, a victim of kidnapping.

²³⁸ See incident mentioned at para. 8 above.

Annex 73 (para. 123)**Systematic attacks on MONUSCO****Attaques systématiques contre la MONUSCO**

During the reporting period, MONUSCO has been systematically targeted by both M23/RDF and by FARDC and Wazalendo, the latter particularly around Sake (see also annex 32), seriously hampering MONUSCO's mandate implementation.²³⁹

Non-exhaustive list of threats and attacks on MONUSCO by FARDC and Wazalendo groups²⁴⁰

- On 8 November 2023, FARDC elements fired on a MONUSCO convoy which was part of Operation “Springbok” in the Kibati area, northeast of Goma along the RN2 national road, while escorted by FARDC. FARDC reportedly wanted to inspect the vehicles. FARDC fired on the convoy, causing damage to vehicles.
- On 14 November 2023, in the Kibati area, approximately 10-15 Wazalendo elements, presumably Nyatura CMC/FDP, threatened to open fire on MONUSCO contingents who were in the process of establishing a blocking position as part of Operation “Springbok”. The FARDC elements who were escorting the MONUSCO troops reportedly tried to convince them that they were aware of the deployment. Nevertheless, the Wazalendo elements asserted that the zone fell under their jurisdiction, and that no other forces could deploy there. The MONUSCO contingents aborted the mission and returned to their base.
- On 10 December 2024, Wazalendo elements and the local population hindered attempts by MONUSCO to establish a new “Operation Springbok” blocking position on the Sake-Minova axis. FARDC elements also harassed UN peacekeepers twice that same day.
- On 6 February 2024, UN vehicles were stopped at a checkpoint near a FARDC position, and staff were forcibly removed from their vehicle, brutalized and robbed.
- On 8 February 2024, intoxicated FARDC and Wazalendo elements breached a MONUSCO position in Kimoka, threatening peacekeepers with a hand grenade and stealing valuables.
- On 7 February 2024, Wazalendo fired hundreds of small arms rounds and RPG rockets towards a MONUSCO blocking position at Lushangi.
- On 8 February 2024, intoxicated armed FARDC personnel and MaiMai cadres fired off rounds to intimidate UN staff at MONUSCO's blocking position at Kimoka and threatened the peacekeepers with a hand-grenade, while searching their position for alleged M23 elements.
- On 9 February 2024, Wazalendo fired RPGs, machine guns and assault rifles at MONUSCO's blocking position at Kimoka, while later that day Wazalendo indiscriminately fired on the MONUSCO's blocking position at Lushangi.
- From 9 to 18 February 2024, over 14 incidents were recorded against or involving peacekeepers in the wider Sake area. The frequency of the incidents escalated from two incidents to three incidents per

²³⁹ [pr_united_nations_condemn_attacks_against_its_personnel_in_kinshasa_and_calls_for_investigations.pdf](#) See also S/2024/251 para. 23.

²⁴⁰ MONUSCO sources, unless otherwise indicated

day. Several Operation “Springbok” positions were targeted including by RPG, mortar, and machine gun fire, and drone-borne IEDs. During the same week, several MONUSCO peacekeepers were wounded. The MONUSCO convoy evacuating the wounded was fired upon by Wazalendo while evacuating, but the convoy managed to move through. High-level engagement with FARDC by MONUSCO, a field visit by Military Governor Major General Peter Cirimwami to Sake, meeting with VDP members and FARDC units there, as well as joint public relations of MONUSCO, DRC Ministry of Defence and FARDC did not deter further attacks.

- On 18 February 2024, a MONUSCO convoy was blocked by Wazalendo combatants on the way to Sake, forcing the convoy to return to Goma.²⁴¹
- On 19 February 2024, a group of 30-40 Wazalendo combatants indiscriminately fired between 100 to 150 small arms rounds and 5 to 8 RPG rounds upon MONUSCO’s Kimoka camp.
- On 25 February 2024, MONUSCO troops reported between 10 to 15 rounds of RPG and 700 to 800 rounds of small arms fire against a MONUSCO logistics convoy.
- Between 26 February and 3 March 2024, several MONUSCO blocking positions were targeted every day by Wazalendo/FARDC, sometimes several times a day, with the firing of small arms ammunition, RPG rockets, machine guns, and automatic weapons. A total of 14 firing incidents were reported, with thousands of rounds of ammunition fired. In five out of the 14 incidents, the involvement of FARDC elements in addition to Wazalendo, was reported.
- On 9-10 March 2024, further attacks by Wazalendo elements on MONUSCO blocking positions were reported, with at least 1,500 small arms rounds as well as RPG rounds fired towards Kimoka and Lushangi blocking positions.
- On 21 and 24 March 2024, MONUSCO supply convoys moving on the Sake-Kimoka axis were fired upon by Wazalendo elements.²⁴²
- See also para. 51 and annex 37

Threats and attack by M23/RDF

- In a message posted on X on 24 January 2024, M23 Spokesperson Lawrence Kanyuka issued a warning to MONUSCO, “whose surveillance drones continue to collect and transmit information on M23/ARC positions and activities to Tshisekedi Tshilombo's coalition forces”. He added that “The biased and bellicose behaviour of the UN peacekeepers, as well as the killings of the civilian population, have forced us [M23/ARC] to take appropriate measures for self-defence and protection of the targeted civilian population.”²⁴³
- On 2 February 2024, M23/RDF shot at a MONUSCO helicopter that was performing evacuation of wounded FARDC elements near Karuba, gravely injuring two peacekeepers and killing one, and causing significant damage to the helicopter. The helicopter was flying over an area controlled by M23/RDF.²⁴⁴

²⁴¹ MOSNUCO sources, video footage

²⁴² <https://news.un.org/en/story/2024/03/1147651>

²⁴³ <https://x.com/LawrenceKanyuka/status/1750042492416704626>

²⁴⁴ See MONUSCO press release of 2 February 2024 at [pr_monusco_denounces_attack_on_helicopter_which_wounds_two_un_peacekeepers_in_north_kivu.pdf](#)

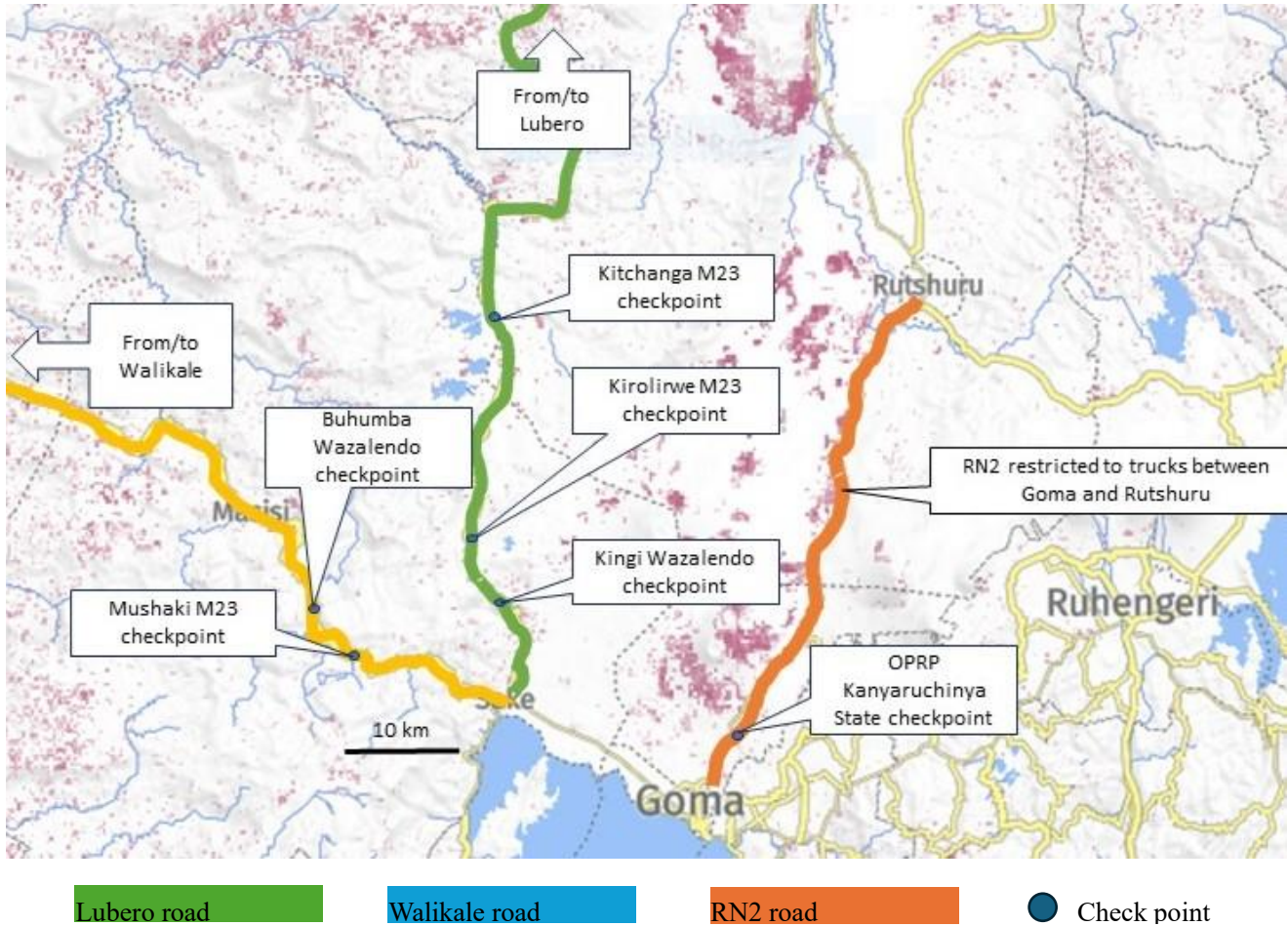
- On 7 February 2024 a mobile and radar guided short-range air-defence system SHORAD, shot at, but missed a MONUSCO drone (see annex 34).
- On 16 March 2024, eight peacekeepers were wounded in Sake, after mortars presumably fired by M23-ARC landed inside the MONUSCO base in Sake.²⁴⁵
- On 17 March 2024, in a communiqué signed by Lawrence Kanyuka, the AFC spokesperson, accused MONUSCO of lending its bases to the FARDC and their allies, explicitly mentioning FDLR, mercenaries, militias, FDNB and SADC, who would be using them as rear bases and refuge from which they would conduct attacks on civilians. AFC called on MONUSCO to stop.

²⁴⁵ [pr_monusco_condemns_the_attack_that_wounded_8_peacekeepers_in_sake_north_kivu.pdf](#)

Annex 74 (para. 124)

Map of the transport routes of wooden planks and checkpoint locations

Carte des routes de transport des planches et emplacement des check points



Source: Global Forest Watch. Map annotated by the Group

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations

Annex 75 (para. 124)**Type, size and prices of wooden planks sold at wholesale markets in Goma****Types, dimensions et prix des planches de bois dans les marchés de gros de Goma**

Illegal taxes paid by wooden plank transporters to armed actors operating in Rutshuru, Nyiragongo and Masisi since the beginning of the M23 crisis led to a significant spike in prices at markets in Goma. On the 400 km stretch of route between Lubero and Goma, each 8-ton Fuso truck driver was compelled to pay approximately \$1,000 in taxes to different state actors and armed groups.²⁴⁶ Heavier duty trucks or “ten wheels” with a payload of 14 tons each paid \$1,500 in taxes on the same road.²⁴⁷ Several wholesale traders revealed having trucks waiting in Lubero for the money to cover the illegal taxes along the route, causing significant delays in the supply.

8-ton Fuso trucks were the most widely used form of transportation for wooden planks, because they can withstand any road condition. Fuso trucks can carry 110 to 120 “driers” (beams) of redwood. The Group observed at the “Chez Modé” and Kihisi wholesale market in Goma that a beam of redwood weighs an average of 90 kilos (a density of 700 kilos per cubic meter), while planks of ordinary wood, which have a density of 400 to 450 kilos per cubic meter depending on the age of the tree logged, weigh 22 (shuttering wood quality) to 28 kilos.

Trees were transformed into planks directly at the logging sites. A log was first cut into smaller portions measuring 4 to 6 meters, called « grimes ». Each « grime » was then chopped down into beams, called « driers ».²⁴⁸ The typical redwood “drier” would measure 450x30x10cm. Wooden beams intended for exports to Uganda, Kenya and Tanzania were chopped into a measure called « Size » of 560x32x6 to 7 cm. A cubic meter, or ton, of redwood yields 14 to 15 “driers”.

The price increase resulting from the illegal taxes was added to the final cost of the wooden planks. This price increase affected all types and qualities of wooden planks sold, which further aggravated the economic strain of dwellers in Goma. For example, a beam of the highest quality timber, called “red wood (mahogany)”, “afromosia” or “muvula”, which was sold at \$85 before 2022, was sold at \$125; the intermediate “Libuyu (yellow wood)” saw its price ramp up from \$65 to \$85, while the ordinary “Licheche” rose from \$20 to \$32. The lowest qualities “bois de coffrage” (shuttering wood) and “bois local” (framework wood) rose from \$5-7 to \$7.5-12.

Type, size, origin, and prices of wooden planks in March 2024:Red wood quality

- Afromosia redwood 320x35x12/15cm beam– from Grand Nord and Kisangani, is worth \$100-110 per beam. A beam weighs 94 kilos.
- Libuyu or “bois jaune” (yellow wood) 450x30x9cm beam– from Beni, \$80 -90 per beam
- Muvula (acajou /mahogany) – same size and price as Libuyu – from Beni and Kindu

Licheche quality

- Widely used in carpentry and wooden tools making. Origins from Beni (Nord-Kivu) and Bunyakiri, Hombo (Sud-Kivu). Sold in 415x15x9 cm beam or 400x40-35x5-4cm plank « panneau » - both worth \$28 – 32 per unit.

“Bois de coffrage” quality (Greveria, Mutiku, Muhazi, Musave)

²⁴⁶ \$1 = 2700 Congolese francs as of 28 March 2024.

²⁴⁷ Ibid.

²⁴⁸ Interviews with wholesale plank retailers in Goma, Ministry of Environment, civil society actors and researchers.

- 360-420x35-40x2-5cm plank « panneau » - from Pinga (Walikale), Lubero territory and Rutshuru territory was sold at \$12. A plank weighs 22 kilos.

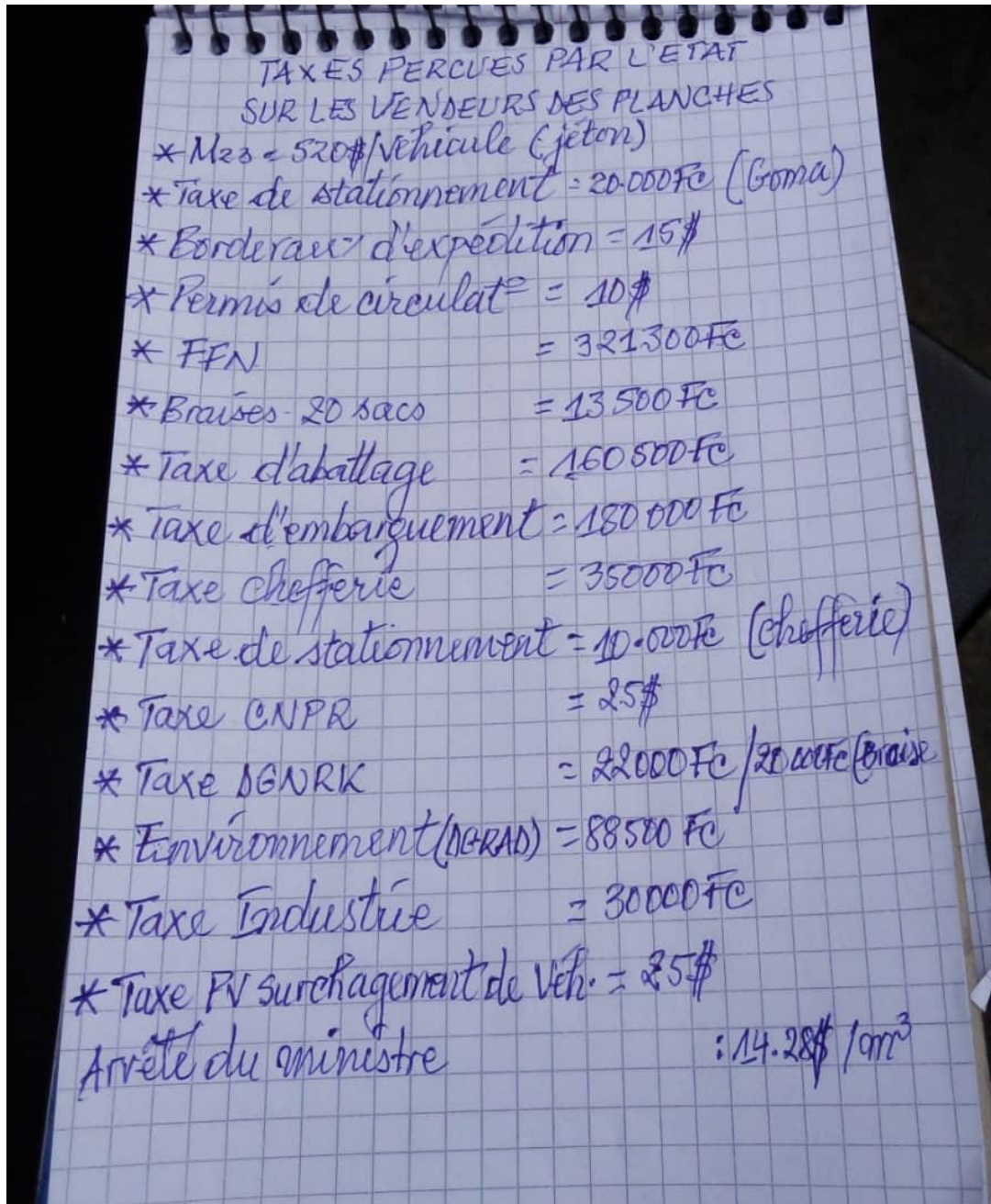
“Bois local” quality (generally eucalyptus)

- 340-360x18-20x4/6cm, is the most widely used for housesframes. They were logged everywhere in Masisi, Rutshuru and Nyiragongo territories and, in particular, in Kisharo and Nyamilima in the Bwisha chefferie of Rutshuru territory, Kibumba in Bukumu chafferie of Nyiragongo territory and Kalembe between Wanianga (Walikale) and Bwito (Masisi) chefferies. A beam weighs 28 kilos and was sold between \$7.5 and 12.

Legal and illegal taxes paid on the Lubero-Goma axis for which receipts were issued:



Documents received from a transporter at “Chez Modé” wholesale plank market in Goma



Transcription by the Group of the different taxes

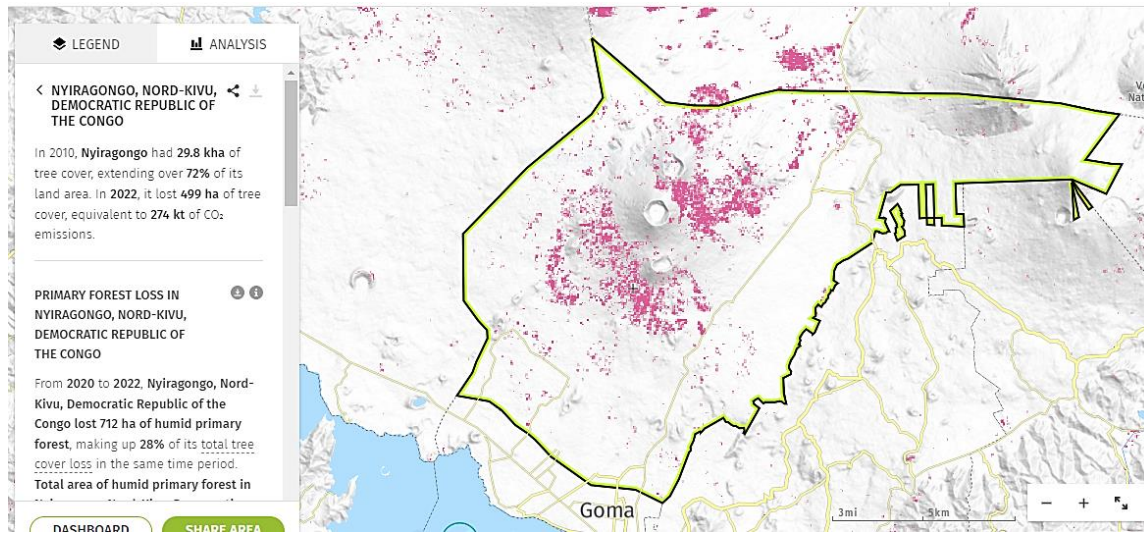
Annex 76 (para. 125)

Net forest loss in Petit Nord

Perte nette de forêt dans le Petit Nord

Data from DRC Ministry of Environment, the Congolese Institute for Nature Conservation (ICCN) and the non-governmental organization Global Forest Watch, as well as change detection from Sentinel 2 satellite imagery, concur in showing that since 2020 and the resumption of M23 activity in the area, deforestation in Nyiragongo and Rutshuru territories has reached unprecedented levels.

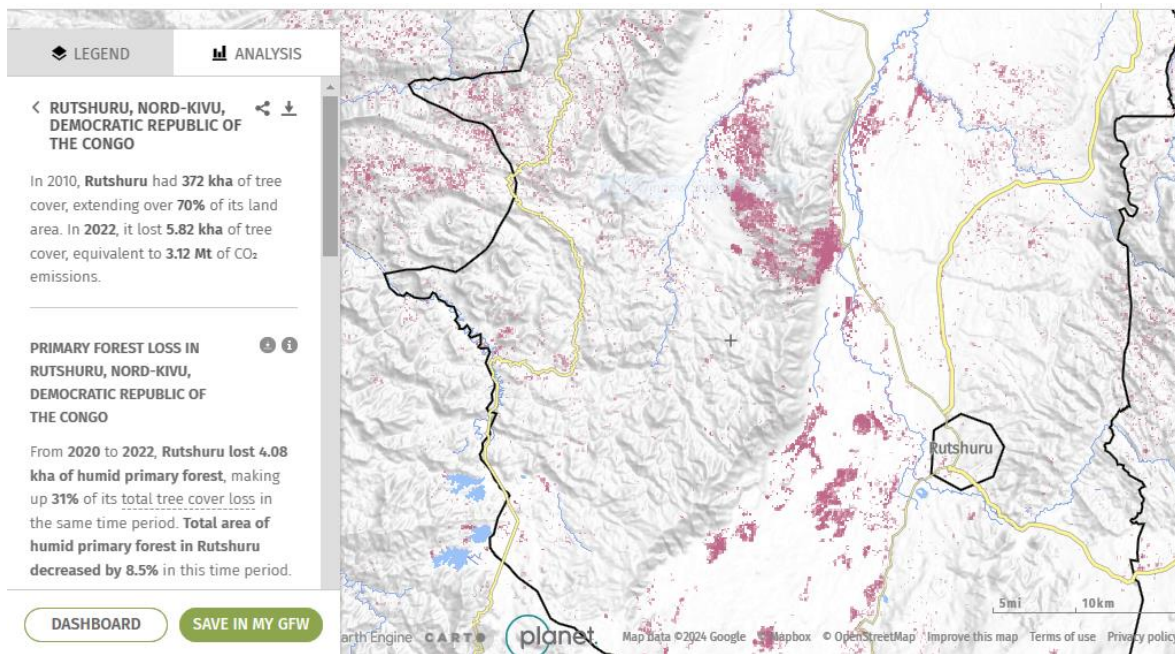
Deforestation clusters in Nyiragongo territory in March 2024 (below):



Source: Global Forest Watch and Copernicus. Map annotated by the Group

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

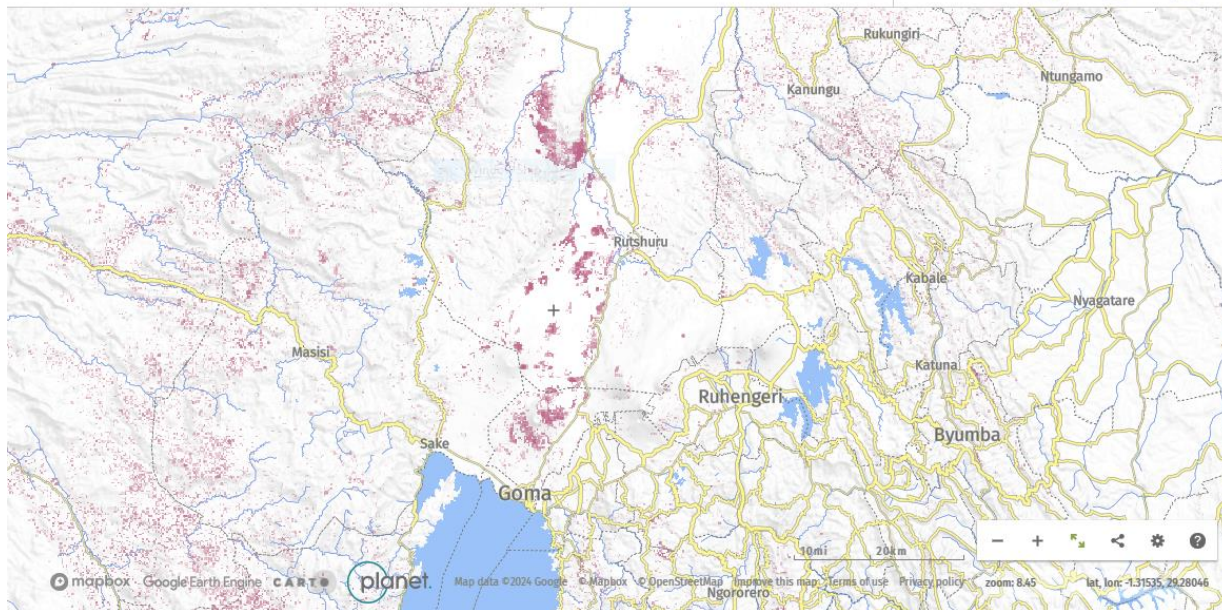
Deforestation clusters in Rutshuru territory in March 2024 (below):



Source: Global Forest Watch and Copernicus. Map annotated by the Group

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Deforestation in the Virunga National Park in March 2024 (below):



Source: Global Forest Watch and Copernicus. Map annotated by the Group

The boundaries and names shown and the designations used on this map do not imply official endorsement or acceptance by the United Nations.

Annex 77 (para. 128)

Receipts of illegal taxes levied by M23 on trucks transporting wooden planks**Recettes des taxes illégales prélevées par le M23 sur les camions transportant des planches de bois**

The proofs of payment issued by M23, seen by the Group (see pictures below), were from receipt books printed in English, a kind not found in the DRC, and rubber stamped with the mention in French “Department of Finance”. To protect the sources, the exact details (serial number, date, plate number of the taxed truck) were redacted by the Group. Original documents are on file with the Secretariat.

The serial number observed by the Group on a proof of payment delivered by M23 in early March 2024 was smaller than one from a similar proof delivered in September 2023, thus suggesting that serial numbers were periodically reset.

Trucks coming from Lubero were taxed in Kitchanga, while those logging within the Viruga National Park were usually taxed in Kiorolirwe, which also served as control point for M23 to check that the tax had been paid in Kitchanga.

14 tons “ten wheels” trucks were taxed between \$700 and 800.



Receipts from 2023 and 2024 taxed Fuso trucks

Annex 78 (para. 131)

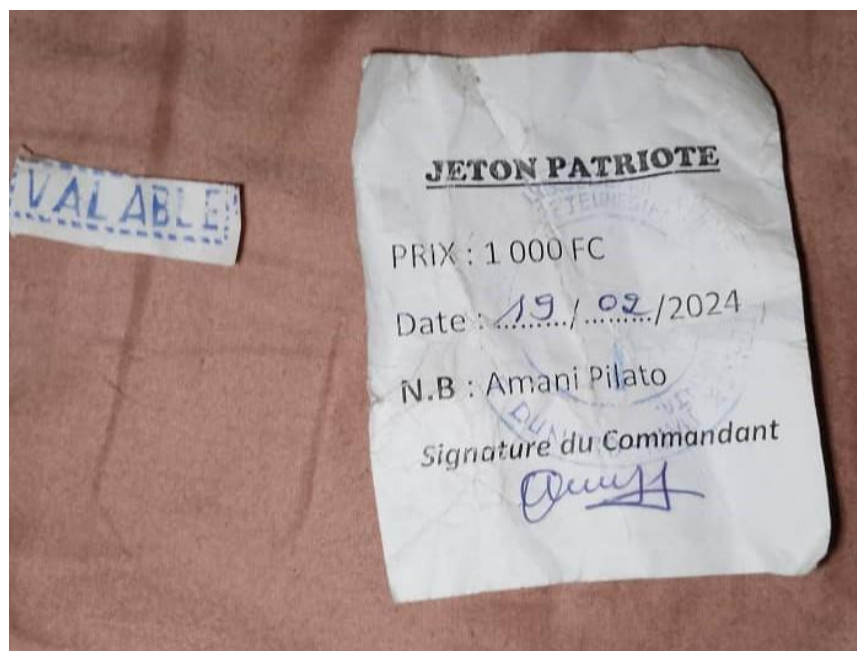
Receipts of illegal taxes levied by the Wazalendo armed groups

Recettes des taxes illégales prélevées par le Wazalendo armed groups

The various armed groups comprising the Wazalendo coalition imposed illegal taxation on road users in the areas they controlled. The Group obtained several proofs of payment of illegal taxes levied on pedestrians and motorbikes at roadblocks in Rutshuru and Masisi territories by the different Wazalendo armed groups, notably by CMC/FDP in Kitshanga, by FPP/AP “Etat major” in Mbwavinwa, by Front Populaire pour la Libération du Congo (FPLC) in Binza, and by the “Jeunesse patriote”.²⁴⁹

Notwithstanding the proofs of payment shown below, the Wazalendo did not deliver “jetons” or proofs of payment to truck drivers for the illegal taxes levied on planks.

“Jeunesse patriote” proof of payment (below):



“Jeton” (proof of payment) received from a taxed moto driver

²⁴⁹ Some self-proclaimed Wazalendo youth that mostly tax road users.

FPLC proof of payment in Binza, Rutshuru territory (below):



“Jeton” (proof of payment) received from a taxed moto driver

FFP/AP proof of payment (below):



“Jeton” (proof of payment) received from a taxed moto driver

CMC/FDP proof of payment in Kitshanga, Walikale territory (below):



“Jeton” (proof of payment) received from a taxed transporter

Annex 79 (para. 133)

Illegal logging in FDLR/FOCA controlled areas

Abattage illégal dans les zones contrôlées par les FDLR/FOCA

In areas under FDLR/FOCA control, an average of 55 young and 12 mature eucalyptus trees were felled every week²⁵⁰. This corresponded to 680 planks of shuttering wood, worth \$6,500, and 535 planks of ordinary wood, worth \$15,000, at wholesale prices in Goma per week, or up to \$1,118,000 per year.

In particular, in areas under the control of FDLR/FOCA, young eucalyptus from the outskirts of VNP that can yield 10 to 15 planks, and which usually sold in wholesale markets in Goma as “bois local” (ordinary wood) quality between \$7.5 and \$12 each, were now sold at \$50.

Older, bigger trees from within the VNP that can yield 40 to 50 planks, sold as “bois de coffrage” (shuttering wood) or Licheche quality and usually priced between \$12 and 28 per plank, were now valued \$200 or more²⁵¹.

Another factor which influenced the price of a tree was the distance from, or ease of transport to, a main road, with a tree closer to a transport route being sold at a higher price than the same yielding one located in a less accessible area which requires logs to be manually transported up to the point where they can be loaded onto trucks²⁵².

²⁵⁰ 55 trees * \$50 + 12 trees * \$200 = \$2750 + 2400 = \$5,150 per week.

²⁵¹ Civil society in Nyiragongo territory, Ministry of Environment, researchers and UN sources.

²⁵² Ibid.

Annex 80 (para. 137)

Illegal taxes paid by road users at OPRP check point in Kanyaruchinya

Taxes illégales payées par les usagers de la route au poste de contrôle OPRP à Kanyaruchinya

Truck drivers informed the Group that transit between plank-producing areas in Beni and Goma via the national road 2 (RN2) along the Kanyabayonga-Kiwandja-Kibumba-Goma road required 350 litres of fuel, in comparison with 850 litres needed to cover the only authorized route through Lubero – Kibirizi – Nyanzale – Mweso – Kitchanga – Sake – Goma. This was cited among the reasons why trucks continued to transit through Kanyaruchinya despite the 24 May 2022 ban.²⁵³

State agents that manned a checkpoint known as “OPRP” in Kanyaruchinya belonged to the general tax agency of the North Kivu Province (DGR-NK), ANR, FARDC, Police Frontière, the national forestry fund (FFN) and Chefferie. The bulk of the illegal taxation was paid to the DGR-NK, while the FARDC received a share of \$10 to \$20.

State agents did not deliver proofs of payment to truck drivers for the illegal taxes levied.

²⁵³ Transit at OPRP check point was still authorized only until 6.00PM for vehicles and 10.00PM for pedestrians.

Annex 81 (para. 140)

Incident records from mining pits belonging to Shamamba in Rubaya and evidence of continued exploitation and control of mines by PARECO-FF

Rapports d'incidents dans les mines appartenant à Shamamba à Rubaya et des preuves de la poursuite de l'exploitation et du contrôle des mines par le PARECO-FF

- (1) The Group received reports from medical sources and miners in Rubaya of incidents at mining pits in Rubaya. Multiple sources confirmed that these sites operated under the control of PARECO-FF's "president" Shamamba.

a. Medical report from an incident on D4 Gakombe mining site, inside PE-4731

Excerpt reproduced from the original document, in French [see below for English translation]. "xx" indicates information omitted to protect the person's identity.

Original text in French:

« [Nom XX] 18 ans, creuseur, provenance de bunje/lumbishi Sud Kivu adresse actuelle [xx], chef de puits [nom xx] ce lundi le xx/xx/2024 vers 10h15 suis blessé au niveau de la tête par un coup de pierre qui aurait tombé sur lui dans une fosse minière dans le site minier de D4 Gakombe dans le chantier Hazarani à 50m de profondeur ce victime est hospitalisé au poste de santé de Kalambairo, numéro de téléphone de l'infirmier [nom xx], numéro de téléphone de chef de puits [nom xx] [numero xx] »

English translation:

"[XX] 18 years old, digger, from bunje/lumbishi South Kivu current address [xx], pit manager [xx], this Monday xx/xx/2024 around 10:15 am injured in the head by a blow of stone which would have fallen on him in a mining pit in the mining site of D4 Gakombe in the Hazarani site at 50m depth this victim is hospitalized at the health post of Kalambairo, nurse's telephone number [xx], pit manager [xx]'s telephone number [xx]"

Photographs of the miner and the injuries he sustained are on file with the Secretariat.

b. Text message from a miner in Rubaya on an incident in D2 Bibatama mining site, inside PE-4731

Below is the redacted version of a text message sent to the Group by a source in Rubaya, which relates a deadly landslide that occurred on 14 February 2024 in D2 Bibatama mining site at PE/4731 in Rubaya. The source specified that the site was under PARECO control.

Original text in French :

BJR PAPACE MERCREDI LE14/2/2024 VERS 13H DANS LE SITE MINIER DE D2 BIBATAMA UN EBOULEMENT A ENSEVELI PLUSIEUR CREUSEURS ET DES FEMMES QUI VENDENT DE LA NOURITURE ET CHERCHE DES PIERRES PRECIEUX PARMIS LES VICTIMES IL YA JEAN DE DIEU ***** 22ANS SA FEMME ELISEE ***** LAISSE 1ENFANT, GULAIN ***** 24ANS SA FEMME ASIFIWE ***** LAISSE 1ENFANT DE 2SEMAINES, LES SURVIVANTS IL YA ***** JUMA, ***** EDOUARD, JEAN DE DIEU ***** , MANI *****

English translation:

Morning PapaThis Wednesday 4/2/2024 around 13H in the D2 BIBATAMA mining site a landslide buried several diggers and women who sold food and sought after precious stones. Among the victims

there is Jean de Dieu ***** 22 years old his wife Elisée ***** is survived by a son, Gulaine ***** 24 years old her wife Asifiwe ***** leave a 2-week baby, among the survivors there are ***** Juma, ***** Edouard, Jean de Dieu ***** , Mani *****

- (2) The Group obtained proofs of payment of taxes imposed by PARECO-FF and APCLS in Rubaya. Rubaya dwellers and miners shared evidence with the Group of taxes levied by PARECO-FF on both sites, PE4731 and PE76, such as a monthly fee referred to as a contribution to community development in mining areas, amounting to \$10 per month.
- a. **Contribution to community development in mining areas, levied in Nyagisenyi, inside PE-76 by PARECO-FF:**



Proofs of payment (“jeton”) received from a miner in Nyagisenyi at PE-76 in Rubaya

b. Capitation tax "Lala salama" ("sleep peacefully") – PARECO-FF:



Proof of payment (jeton) received from a Rubaya dweller

c. Issued and blank receipt for the taxation of motorbikes issued by APCLS and PARECO-FF:



Proofs of payment (jetons) provided by users of the roads between Rubaya and Mushaki

Annex 82 (para. 141)

Communiqué on the suspension of ITSCI Program in all of Masisi territory

Communiqué d'ITSCI Suspension du Programme ITSCI dans le territoire de Masisi

Below is the reproduction of the text of the ITSCI communiqué, which is available to consult online at https://www.itsci.org/wp-content/uploads/2023/12/Public-statement_ITSCI-suspended-in-Masisi_Dec-2023_final.pdf

Public statement

Suspension of the ITSCI Programme in Masisi territory, North Kivu (DRC) for security reasons related to the non-state armed group M23

15 Dec 2023

In early 2023, the ITSCI programme was [suspended](#) for a time in Masisi, North Kivu, and later [resumed](#) due to an improved situation as reported. In recent weeks, fighting between non-state armed group M23 and the Congolese army and their allies have intensified in Masisi territory, North Kivu Province, DRC. Early December, M23 retook control of two locations in that territory: the town of Mushaki, an important transport point for minerals transported to Goma; and the mineral trading town of Karuba.

Due to the precarious security situation, most agents from DRC state services SAEMAPE and the Mine Division, responsible for the oversight over artisanal mining activities, returned to Goma to report to their leadership and, as a result, tagging stopped at all mine sites. The ITSCI Programme is suspended at all ITSCI sites in Masisi territory until further notice.

The ITSCI Programme continues to actively engage with local stakeholders, including the North Kivu Government, to support local agreement on, and implementation of, risk avoidance and mitigation actions. Positive actions were taken in recent days, which allow for the planned return of state services to some areas in Masisi, working towards establishing alternative mineral transport routes and resuming tagging and monitoring, where and as soon as possible.

The overall situation remains very volatile and is [evolving on a daily basis](#). ITSCI monitors the situation very closely, working together with local companies, mining operators, civil society, state services and the government to support responsible sourcing of minerals and avoid unnecessary disengagement and a de facto embargo on mineral supply chains from North Kivu Province.

For more information, please contact: Mickaël Daudin, ITSCI Programme Manager, mickael.daudin@internationaltin.org

Suspension du Programme ITSCI dans le territoire de Masisi, au Nord-Kivu (RDC) pour des raisons de sécurité liées au groupe armé non étatique M23

15 déc. 2023

Au début de l'année 2023, le programme ITSCI a été [suspendu](#) pendant un certain temps dans le territoire de Masisi, au Nord-Kivu, [avant de reprendre](#) en raison d'une amélioration de la situation, comme cela a été rapporté. Ces dernières semaines, les combats entre le groupe armé non étatique M23 et l'armée congolaise et ses alliés se sont intensifiés dans le territoire de Masisi, dans la province du Nord-Kivu, en RDC. Début décembre, le M23 a repris le contrôle de deux localités de ce territoire : la ville de Mushaki, un important point de transport pour les minerais acheminés vers Goma, et la ville de Karuba, point de vente des minerais.

En raison de la situation sécuritaire précaire, la plupart des agents des services de l'état de la RDC – le SAEMAPE et la Division des mines – responsables de la supervision des activités minières artisanales, sont retournés à Goma pour faire rapport à leur hiérarchie et, par conséquent l'étiquetage a stoppé dans tous les sites miniers. Le programme ITSCI est suspendu sur tous les sites ITSCI du territoire de Masisi jusqu'à nouvel ordre.

Le programme ITSCI continue à s'engager activement avec les parties prenantes locales, y compris le gouvernement du Nord-Kivu, pour soutenir l'accord et la mise en œuvre au niveau local d'actions pour éviter ou atténuer les risques. Des mesures positives ont été prises ces derniers jours, permettant de prévoir le retour des services publics dans certaines zones de Masisi, visant à la mise en place d'itinéraires alternatifs pour le transport des minerais et la reprise de l'étiquetage et du suivi, là où c'est possible et dès que possible.

La situation générale reste très volatile et évolue quotidiennement. L'ITSCI suit la situation de très près et collabore avec les entreprises locales, les opérateurs miniers, la société civile, les services de l'état et le gouvernement pour soutenir l'approvisionnement responsable en minerais et éviter un désengagement inutile et un embargo de fait sur les chaînes d'approvisionnement en minerais en provenance de la province du Nord-Kivu.

Pour plus d'informations, veuillez contacter Mickaël Daudin, gestionnaire de programme ITSCI, mickael.daudin@internationaltin.org

Annex 83 (para. 141)**Screenshots from videos showing mineral smuggling from Rubaya****Captures d'écran de vidéos montrant la contrebande de minerais à partir de Rubaya**

This video was shot in December 2023, after the suspension of mineral-tagging operations in Masisi. It shows some 60 motorbikes loaded with minerals from Rubaya transporting them to Mushaki. The Group authenticated this video through testimony and analysis from Rubaya dwellers, miners and traders, civil society actors in Masisi and UN sources.



Selected screenshots from a December 2023 video received from civil society sources

Annex 84 (para. 142)

Communiqué by PARECO-FF against mineral trading from Rubaya

Communiqué de PARECO-FF contre le commerce des minerais de Rubaya

Shamamba Barigaruye Enoch was a former employee of mining cooperative COOPERAMMA,²⁵⁴ who owns several mining pits in Rubaya, and led mineral exploitation in the area since the occupation of Rubaya by the PARECO FF armed group (see [S/2021/560](#), para.62).

Several sources reported to the Group that since the beginning of the M23 crisis, individuals close to COOPERAMMA, led by Shamamba and MP Justin Ndaishimiye ([S/2021/560](#), para.64) incited young people, including miners, to join the Nyatura armed group to fight against the M23 ([S/2023/990](#), para 70 and annex 43).

²⁵⁴ Coopérative des Exploitants Artisanaux Miniers de Masisi. In a few instances in previous reports by the Group, and more frequently in literature, COOPERAMMA is misspelled as COOPERAMA.

REPUBLIQUE DEMOCRATIQUE DU CONGO
 PROVINCE DU NORD-KIVU
 TERRITOIRE DE MASISI



COALITION DES PATRIOTES RESISTANTS
 CONGOLAIS (PARECO)
 ETAT MAJOR COMMANDEMENT
 AXE RUBAYA
 Contact : 0899552099
 Mail : rdcpareco@gmail.com

COMMUNIQUE DE PRESS N° 13 /PARECO/RUBAYA/2024

Nous, coalition des Patriotes Résistants Congolais PARECO en sigle ; Tenons à informer les Négociants et Petits Négociants sur rumeurs faisant le trafic illégitime des minerais passant par la zone occupée par L'ennemi RDF/M23 surtout à MUSHAKI ;

Nous avons pris des mesures pour arrêter les délinquants et quiconque appréhendé sera puni conformément à la loi.

Fait à Rubaya le 17/02/2024

SHAMAMBA BARIGARUYE Hénock

Président de mouvement



REPUBLIQUE DEMOCRATIQUE DU CONGO
 PROVINCE DU NORD-KIVU
 TERRITOIRE DE MASISI



COALITION DES PATRIOTES RESISTANTS
 CONGOLAIS (PARECO)
 ETAT MAJOR COMMANDEMENT
 AXE RUBAYA
 Contact : 0899552099
 Mail : rdcpareco@gmail.com

TANGAZO

Sisi coalition des Patriotes Résistants congolais PARECO ; Tunatangazia wafanya byashara ya madini (Négociants et petits Négociants) yakwamba kuna fununu ya kupitiza madini kimagendo ndani ya maeneo ambazo zinazibitiwa na adui RDF/M23 zaidi sana pa Mushaki.

Tumetiya mbima nakufuatiya sana atakaye naswa ataazibiwa kulingana na sherhiya za Inchi

Imefanyika pa Rubaya le 17/02/2024

SHAMAMBA BARIGARUYE Hénock

Président de mouvement

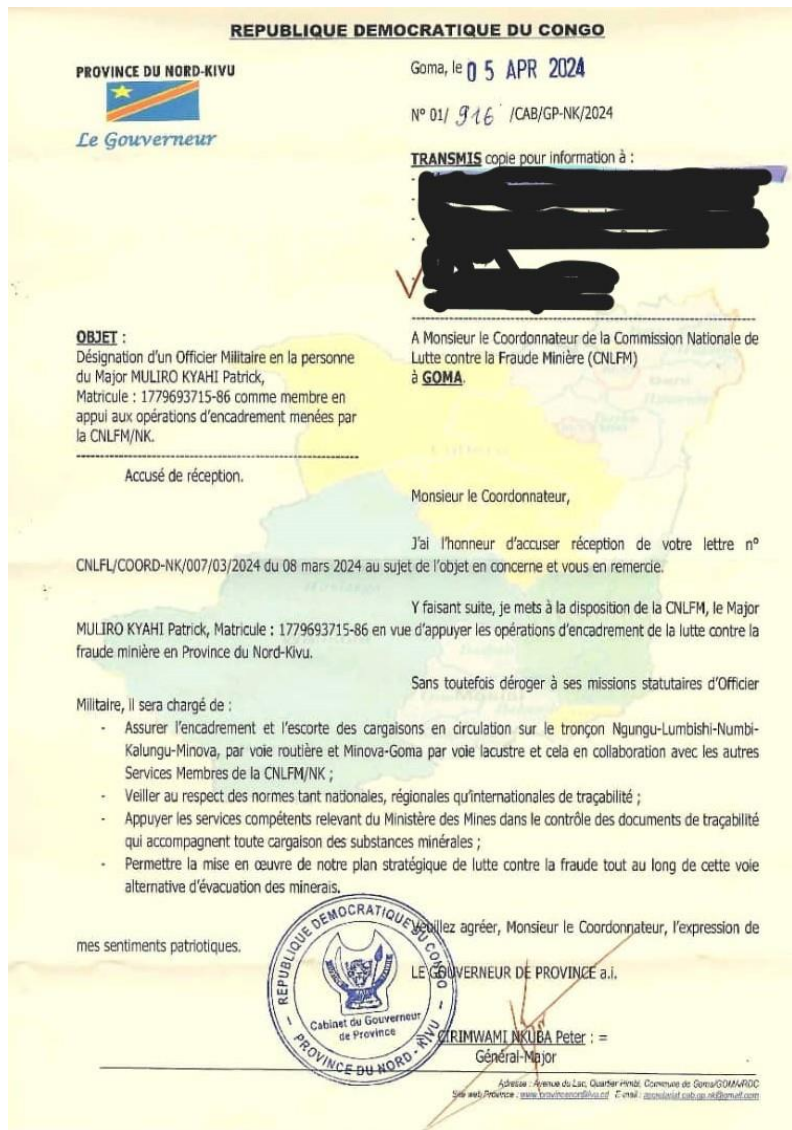


PARECO-FF communiqué

Annex 85 (para. 145)

Communication dated 5 April 2024 on the resumption of mineral trade from Rubaya to Goma via Minova and Lake Kivu

Communication du 5 avril 2024 relative à la reprise du commerce des minerais de Rubaya à Goma via Minova et le Lac Kivu



Document obtained from confidential source

Annex 86 (para. 146)**Production data from selected sites in Masisi that show inconsistency of tagged production****Données de production provenant de sites sélectionnés dans le Masisi qui montrent une incohérence de la production étiquetée**

Mining sites under the Congo Fair Mining (CFM) PE-76 concessions and the artisanal exploitation zone (ZEA) in Rubaya are covered by the tagging of origin and supply chain integrity system provided by the ITSCI program. Sites in the PE-4731 (which belonged to SMB until cancelled in August 2023) were also monitored under the ITSCI program until December 2018.

The Group had informed ITSCI multiple times about doubts on the tagged mineral production originating from these sites, since the levels of tagged production appeared consistently too high compared with the observed levels of activity at these sites ([S/2022/479](#), paras 78 to 80 and annexes 44 and 45; [S/2021/560](#), paras 59 to 70 and annexes 41 to 49; [S/2020/1283](#), paras. 42-44; [S/2020/482](#), paras. 102-107; [S/2019/469](#), paras. 149-164).

By contrast, ITSCI maintained that the volumes tagged were within the limits of each site's expected production, assessed periodically by the teams supporting the implementation of the ITSCI program in the field. The following are discrepancies between level of activity and tagged production:

During the period under review, the Group analysed production data from all the sites in Rubaya area, which showed monthly fluctuations compatible with cross-concession smuggling reported. In particular, the site of Mushuawu (also spelled Mushwau), located in the ZEA outside both PE-4731 and PE-76, recorded positive variation in production volumes of 7,727.95 percent since the first recorded production in April 2022. In particular, Mushuawu recorded a monthly production increase of 6,956 percent in February 2023, in conjunction with the suspension of activity at SMB sites at PE4731. Such ample variations in monthly production should have raised ITSCI's awareness.

Production at the site of Mushuawu increased from 174 to 4,099 kilogrammes between May and July 2022, before dropping to almost zero in December 2022 and January 2023, and finally peaking at 3,528 Kg (a 6,956 percent increase) the following month (February 2023), in conjunction with the suspension of activities at SMB, peaking well above five tons in June and July 2023, to then drop to 378 Kg (minus 93.54%) in August 2023. The magnitude of these variations is beyond geological explanation and suggests that minerals of different origins, and likely not eligible for trade, were brought to Mushuawu to be tagged as originating from there and then sold. This should have raised ITSCI's awareness.

The Group also observed that the production tagged under the ITSCI programme at the sites within the PE-76, notably Nyagisenyi, Mutanga 1, Mululu, Mayi Vuno and Bihula was approximately five times higher than what could realistically be expected, considering the observed level of activity in those sites during the period under review. The same discrepancies between level of activity and tagged production have been observed on sites outside of the CFM concession, and notably Mutanga 2, Biholo, Bitonga, Lutso, Kasholero and, as detailed above, Mushawu. There, the tagged production was well over ten times higher than the production estimated in accordance with the observed activity levels.

In its April 2024 reply to the Group's inquiries, ITSCI rejected these findings, claiming that the production levels in all the above-mentioned sites were plausible.

Annex 87 (para. 148)

Responsible Minerals Initiative (RMI) statements

Communiqués du RMI

On several occasions, from 18 December 2023 onwards, RMI recalled the obligation to enforce supply chain due diligence to its members in order to qualify for RMI's Responsible Minerals Assurance Process (RMAP). RMI also widely informed its members of the suspension of ITSCI recognition for the purpose of meeting RMAP standards, and that it was ready to support its members with technical actions needed to enforce their due diligence.

To assist upstream industry in meeting the challenges of the suspension of tagging of minerals from Masisi and RMI suspension of ITSCI's recognition, RMI organized a workshop in Goma from 12 to 14 March 2024 to sensitize the exporters (*entités de traitement*) on the need and techniques to enforce their own due diligence.

On 18 December 2023, RMI issued a press release to its members reminding them that solely declaring adherence to ITSCI would not be deemed sufficient to qualify for the RMAP. RMI affirmed in the press release that it “remains open to constructive engagement with ITSCI and other stakeholders to support due diligence of all supply chain actors and responsible sourcing from the African Great Lakes Region”. The full text of the document is available to consult on [RMI website](#).

Excerpt from RMI's communiqué to its members on 7 March 2024 (below):



To: RMI Members
From: The Responsible Minerals Initiative
Date: 7 March 2024
Subject: Alert on risk of conflict minerals entering supply chains, recommended actions for downstream companies, and RMI actions

Dear RMI Members:

We are writing with an alert to serious reports of conflict minerals risk for supply chains and suppliers sourcing from the North Kivu province of the Democratic Republic of the Congo (DRC), and possibly other regional sites linked via transport and illegal trade.

As shared in the RMI member plenary, the midterm report of the UN Group of Experts on the DRC (available in [English, multiple languages](#)) was published on 3 January 2024. This report includes important findings regarding violence and armed group activities, humanitarian crises, gaps in minerals due diligence implementation, and related impacts to the minerals sector for tin, tantalum, tungsten, and gold from a number of areas in the Great Lakes Region.

Further to that report, the RMI received on 20 February additional information from the UN Group of Experts detailing the mobilization of armed groups in the Rubaya area, Masisi territory, North Kivu, DRC from November 2022 onwards. This additional information from the Group underscored risk that a "large quantity of minerals from the PE-4731 sites [controlled by armed group PARECO] have entered the supply chains through the ITSCI-covered Congo Fair Mining (CFM) PE-76 sites," from April 2023 to at least mid-December 2023. The Group further notes that "there remains an increased risk of minerals fraudulently mined in the Rubaya area entering official supply chains via sites in South Kivu and Rwanda."

The RMI has requested information from ITSCI on North Kivu risks and ITSCI responses to this context for several months and will continue this dialogue, including seeking their response to these serious and specific reports from the UN Group of Experts.

The RMI is sharing this alert with members, 3T smelters in the RMAP program, and RMAP assessment firms to support enhanced due diligence and risk mitigation by supply chain actors. Below, we provide information from the Group and offer guidance on example risk assessment and management actions.

The RMI continues to support responsible sourcing from the Great Lakes Region and other conflict-affected and high-risk areas, while recognizing that in accordance with OECD Guidance and the UN Group of Experts due diligence guidelines, any reasonable risks of direct or indirect support to non-state armed groups calls for mitigation via disengagement if found in a supply chain, while risks of fraud may be mitigated through other time-bound efforts while continuing sourcing relationships.

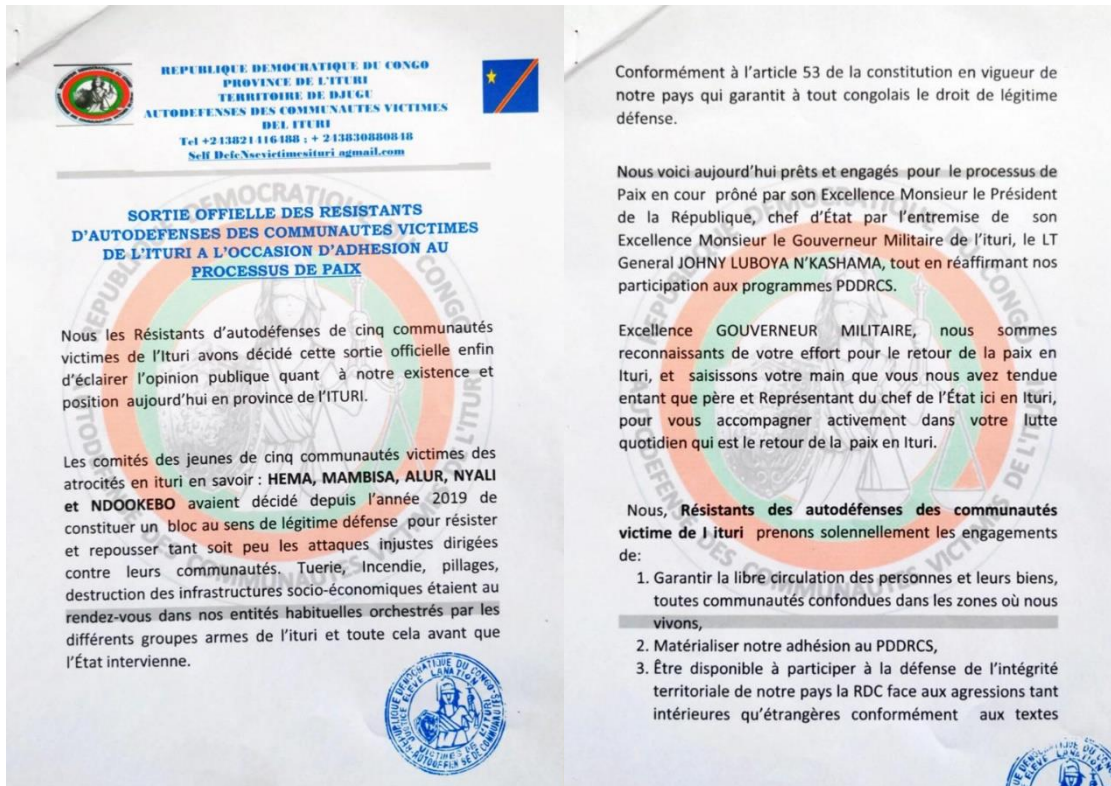
1

Document shared with the Group by RMI

Annex 88 (para. 149)

Zaire armed group's letter of commitment to adhere to the peace process.

Lettre d'engagement du groupe armé Zaïre en faveur du processus de paix



légaux en matière cfr l'article 63 de la constitution de notre pays.

Nous en profitons en demandant ce qui suit :

1 .Au Gouvernement congolais :

- De faciliter la libération de tous les jeunes Résistants d'autodéfenses qui croupissent en prison et garantir la protection de la population civile et ses biens ;
- De faciliter la levée les différents mandats émis à nos charges par l'auditorat militaire de Bunia ;
- De faciliter le retour de déplacés dans leurs villages respectifs,
- De diligenter une enquête afin de dénicher les vrais instigateurs et auteurs des génocides contre les communautés victimes et les déferer devant les juridictions compétentes afin qu'ils répondent de leurs actes.

2. A la communauté internationale

- D'ouvrir un tribunal spécial pour la Province de l'Ituri afin de juger sans complaisance les crimes commis contre les civils innocents en Ituri.



4.AUX DIFFERENTS GROUPES ARMES

- De respecter strictement les actes d'engagement que eux-mêmes avaient signé volontairement car le non-respect de ces engagements risque de plonger la province de l'Ituri à une escalade des violences.
- De travailler pour le développement de leurs entités au lieu de perdre leurs énergie en tuant sans raisons valable leurs semblables tout en détroussant les infrastructures socio-économiques des entités voisines ,chose qui pourra plonger toutes les générations dans le désespoir total.
- De libérer les entités qu'ils occupent illégalement enfin de permettre le retour de chefs coutumiers de ces entités et de déplacés chose qui est un indicateur important de la paix.
- De stopper de façon stricte et démocratique des attaques des populations civiles tout en cultivant un réel amour patriotique envers votre patrie, la République Démocratique du Congo notre Patrimoine Commun.
- De faire preuve de la citoyenneté Congolaise, tout en travaillant pour un développement et le



fonctionnement des institutions publiques de la République Démocratique du Congo.

4. AUX JEUNES ITURIENNES

- d'éviter de jouer au jeu de cache-cache et de l'hypocrisie dans le but de traumatiser leurs camarades enfin d'intoxiquer ceux-ci contre leurs provinces.
- de cultiver l'esprit de l'amour du prochain qui est un gage du développement de la Province de l'Ituri.

Fait à BUNIA, le 29 /01 /2024

Pour les autodéfenses des communautés victimes

Le président titulaire Provincial
LOGO MUGENYI Marine

(Représentant des jeunes de la communauté HEMA)

1^{er} vice-président provincial
MAKI BARAKA Amos

(Représentant des jeunes de la communauté MAMBISA)



2eme vice-président provincial
TUAMBE PATRICK Josué

(Représentant des jeunes de la communauté ALUR)

3eme vice-président provincial
MAGABUSINI BASINI Bienvenu

(Représentant des jeunes de la communauté AKONGO/NYALI)

4eme vice-président provincial
LONDJIRINGA RITCHE Dieudonné

(Représentant des jeunes de la communauté NDO OKEBO)

DZDIFU NGADJOLE Jean Marie

LE PORTE PAROLE PROVINCIAL



Document received from a civil society source

Annex 89 (para. 150)

Zaire armed combatants in a speedboat and pickup vehicle

Des combattants armés de Zaïre avec une barque motorisée et un véhicule pick-up



Screenshots of videos received by the Group from an armed group source

Annex 90 (para. 152)

Ituri-based armed groups rejecting their alleged membership in AFC

Les groupes armés de l'Ituri démentent leur soutien à l'AFC







DECLARATION CONJOINTE DE L'ALLIANCE DES FORCES PATRIOTIQUES POUR LA DEFENSE DU CONGO PORTANT DENONCIATION DE TENTATIVE DE MANIPULATION DE GROUPES ARMÉS DE L'ITURI

Les membres de l'Alliance des Forces Patriotiques pour la Défense du Congo, A.F.P.D.C, constitué, de différents groupes armés de l'Ituri dont la FRPI, URDPC-CODECO, FPIC, ZAIRE, MAI-MAI SIMBA-FDDP, URC-FPC, MAPI, réunis à la date ci-dessous en Ituri, pour consolider leur unité dans l'objectif de soutenir les efforts de pacification de l'Ituri tel que proné par le chef de l'Etat;

Ayant été surpris de voir circuler sur les réseaux sociaux des textes politiques reprenant sans consensus les noms de certains groupes armés de l'Ituri dont FRPI, ZAIRE et TCHINI YA KILIMA, pourtant engagés au sein de l'A.F.P.D.C, pour promouvoir la Force-Wazalendu-Reserviste de l'Ituri;

Dans le souci majeur de prouver au monde entier sa détermination pour défendre le territoire national congolais en union avec la FARDC;

Déclare unanimement ce qui suit:

1. L'Alliance des Forces Patriotiques pour la Défense du Congo, A.F.P.D.C, en sigle met en garde tout politicien congolais avide d'argent et de pouvoir qui vise à intoxiquer et surtout à détruire le processus de pacification de l'Ituri en cours, en faisant campagne médiatique mensongère et diffamatoire au nom des groupes armés de l'Ituri.
2. Dément farouchement toute implication et toute participation des groupes armés de l'Ituri composant l'A.F.P.D.C, aux alliances traîtres conclues à Nairobi entre les M 23 et un nouveau mouvement politico-militaire attribué au leadership de Corneille NANGA.

3. L'A.F.P.D.C réitère son engagement pour la Défense décisive de l'intégrité territoriale du Congo, en franche collaboration avec les Forces Armées de la République Démocratique du Congo, FARDC en sigle, pour faire preuve de son adhésion au sein des Forces réservistes Congolaises.

4. L'A.F.P.D.C attend juste voir la mise en place de l'équipe de la Coordination provinciale des Forces réservistes Congolaises en Ituri, pour actualiser son engagement.

Ou le salut de notre RDC ou la mort.

Pour l'A.F.P.D.C
Le Porte-parole

Documents obtained by the Group from civil society sources

Annex 91 (para. 155)**Examples of CODECO-URDPC Attacks****Exemples d'attaques menées par la CODECO-URDPC**

Security sources informed the Group that following the arrest in December 2023 of three CODECO-URDPC combatants suspected of being involved in arms trafficking in Mona village, Mahagi territory, CODECO-URDPC retaliated by abducting 20 civilians of the Alur community. Concomitantly, in Kpandroma, Mahagi territory, CODECO-URDPC combatants abducted five individuals including two priests and a police officer, obtaining in exchange the immediate release of their combatants.²⁵⁵

In addition to kidnappings and retaliatory attacks causing the deaths of dozens of civilians, CODECO-URDPC targeted gold mining sites and workers, including in areas under the control of the rival Zaïre armed group. In early January 2024, the CODECO-Bon Temple faction attacked the Kombokombo mining site in Bayali Kilo *chefferie*, in Mongbwalu. During the attack, nine mine workers were killed and their gold was looted.²⁵⁶ Between February and March 2024, there were several other attacks around mining areas including in Gbado, Mbinza, and Mbijo, Mabendi *chefferie*. In particular, the attacks in Gbado resulted in eight mine workers killed, 12 individuals kidnapped and mine materiel destroyed. A CODECO-URDPC group under the command of Lango, gained control over a gold mine in Morgue, Djugu territory and chased away workers from Hema community.

²⁵⁵ FARDC, UN and civil society sources, researchers and combatants.

²⁵⁶ Ibid

Annex 92 (para. 156)

FARDC Spider I and II operations against armed groups

Opérations Spider I et II des FARDC contre les groupes armés

In attempts to curb armed violence in Ituri, and in parallel with dialogue and other non-military initiatives, FARDC with the support of MONUSCO Force Intervention Brigade (FIB) launched military operations codenamed Spider I and Spider II in October 2023 and March 2024, respectively. The Spider I operation resulted in eight killed CODECO combatants and camps in Masikini and Mbau mountain destroyed. Spider II operation was still ongoing at time of drafting.

Despite these operations, armed groups remained active across Djugu territory and combatants continued to operate defiantly, such as in Masubuko where the 3002nd FARDC regiment was commanded by Colonel Sibambe Willy; in Pimbo, Walendu Djatsi sector, where the 3401st regiment was commanded by Colonel Butare Remi; and in Mongwalu where the 1301st regiment was commanded by Colonel Bahati Nuru.

During a meeting with the Group in Masubuko, the FARDC leadership clarified that FARDC only engaged armed groups, in particular CODECO-URDPC, when armed groups attacked FARDC and that it did not have the mandate to initiate attacks or disarm armed individuals.

The Group raised this issue with the Governor of Ituri who noted that clear instructions had been issued to target armed groups, adding that the Government opted for both military and non-military approaches.

The Group is of the view that in light of logistical problems, shortage of manpower, and dysfunctional FARDC command and control, the balance of power in the area remained in favour of armed groups.

Annex 93 (para. 159)**CODECO-URDPC attacks on humanitarian vehicles and personnel****Attaques de CODECO-URDPC contre des véhicules et du personnel humanitaires**

Several attacks on humanitarian vehicles by CODECO-URDPC occurred during the reporting period, along a strategic road often referred to as the “Lidha road” or the “triangle of death”. Lidha is situated in the Bahema Badjere collectivity, at the intersection of three roads that connect the Walendu-Tatsi, Walendu-Jatsi and Walendu-Pitsi collectivities.²⁵⁷ It remains the only practicable road leading from Rho and Drodro to Bule and is frequently used by the local population, merchants and humanitarians. The road was also used for transportation and trade activities to and from Kampala, Uganda. CODECO-URDPC combatants used the road to move among the three Walendu collectivities, where strategic CODECO-URDPC bases are located, notably at Pitso, Jiba, Pimbo, Petro, and Sambuso. CODECO-URDPC frequently ambushed FARDC on the road, killing soldiers and looting weapons and ammunition. Passengers, merchants and trucks were also targeted and regularly looted.²⁵⁸

On 21 November 2023, CODECO-URDPC combatants attacked a vehicle of the NGO Mercy Corps on the Lidha road. The vehicle was marked with the logo and the flag of the organization, clearly indicating its humanitarian status.²⁵⁹ The staff in the vehicle were held at gunpoint and robbed of their belongings.²⁶⁰ On 16 December 2023, the vehicle of the humanitarian NGO CARITAS was ambushed by the same CODECO-URDPC combatants. They robbed all the belongings of the staff and a generator.²⁶¹ Similarly, a vehicle of the NGO Solidarités International was attacked in similar circumstances along the same stretch of road. All these NGOs operate in the area serving the tens of thousands of IDPs living in the areas of Drodro and Bule, and use the road regularly to travel between the various IDP sites.

On 3 January 2024, a World Food Programme (WFP) truck transporting food items for humanitarian aid was ambushed along the same road, looted and set on fire by CODECO-URDPC combatants.²⁶²

These frequent attacks on civilians and humanitarians alike severely impacted movement in the area, including the distribution of aid, which was already reported to be rare and challenging to organize. The civilians and merchants circulating on the road were offered protection by FARDC against CODECO-URDPC attacks in exchange for payment of taxes. Sources reported that taxes amounted to minimum 15,000 Congolese francs per motorcycle, and at least \$200 US per truck.²⁶³

When the Group visited the area in January 2024, it travelled along the Lidha road and observed first-hand the signs of roadblocks and prior ambushes, and noted the presence of armed CODECO-URDPC combatants from afar, in the forest.²⁶⁴

Multiple sources reported that commander Chura of CODECO-URDPC²⁶⁵ was in charge in the area of Lidha, leading all the attacks along the road.²⁶⁶ Commander Chura reported to the CODECO-URDPC command in Jiba,²⁶⁷ who had authority over Chura and his men, including ordering them to move, withdraw troops or disengage from attacks.²⁶⁸ CODECO-URDPC leadership denied any involvement in the attacks on humanitarians along this road.²⁶⁹

²⁵⁷ UN, FARDC, intelligence, humanitarian sources, civil society, community leaders, researchers.

²⁵⁸ Ibid.

²⁵⁹ UN, FARDC, NGO source.

²⁶⁰ The stolen goods were subsequently recovered, after the intervention of the Walendu-Djatsi sector leader, who negotiated with CODECO-URDPC leaders to return the goods. See <https://lesvolcansnews.net/2023/11/23/ituri-des-biens-des-agents-de-mercy-corps-pilles-pres-de-lidda-par-la-codeco-retrouves-autorite-coutumiere/>

²⁶¹ UN, FARDC, NGO source.

²⁶² WFP, UN, FARDC and civil society sources.

²⁶³ Community-based sources, local leaders, civil society, FARDC, UN sources.

²⁶⁴ FARDC soldiers indicated that those were CODECO-URDPC combatants surveilling the road.

²⁶⁵ Not to be confused with Zaïre commander Chura, cited in the context of the Lala attack of 12 June 2023 (S/2023/990, paras. 79 and 81)

²⁶⁶ FARDC, civil society, community-based and UN sources.

²⁶⁷ FARDC, intelligence, UN sources.

²⁶⁸ UN and intelligence sources.

²⁶⁹ Statement made by Basa Guersom, spokesperson, and Désire Londroma, defence secretary of CODECO-URDPC, during a meeting with the Group on 22 January 2024.

Annex 94 (para. 159)**Attack on Drodro hospital during the night of 6-7 March 2024****Attaque de l'hôpital de Drodro pendant la nuit de 6-7 mars 2024**

During the night of 6 to 7 March 2024, CODECO-URDPC combatants attacked Drodro, including the General Hospital, the primary medical facility which serves the extensive IDP population living in the area. Armed assailants broke into the hospital and killed an elderly Hema woman in intensive care who could not be evacuated. She was shot on her hospital bed. The rest of the patients and the medical personnel were evacuated to the Rho IDP camp. The attackers looted the hospital building, taking mattresses and medical equipment.²⁷⁰

According to witnesses, the hospital was attacked twice in the same day. At first, the assailants entered the hospital but did not harm the patients and the medical staff. As fighting continued with FARDC and MONUSCO, who attempted to push back the assailants, reinforcements arrived and CODECO-URDPC continued to fight. It is during this second assault that CODECO-URDPC killed the elderly lady.²⁷¹

Eyewitnesses, FARDC and MONUSCO peacekeepers told the Group that they had seen the CODECO-URDPC combatants converging on Drodro from several directions, in a coordinated attack. Zaïre combatants also engaged in repelling the attackers. FARDC and MONUSCO engaged in heavy fighting against the attackers. CODECO-URDPC reinforcements arrived the morning after the attack to retrieve bodies of fallen combatants.²⁷²

The attack had a profound impact on thousands of civilians around Drodro and in IDP sites and disrupted the provision of humanitarian assistance. Thousands fled to the Rho IDP camp, which was already massively overpopulated and struggling to ensure basic needs for the over 60,000 IDPs.

The hospital resumed its activities one week following the attack, after the provincial government donated mattresses and reinforced FARDC personnel to secure it.²⁷³ Immediately following the attack, at least six humanitarian NGOs temporarily withdrew from the area or restricted their activities due to threats and risk to their personnel. Only one NGO remained, albeit with reduced personnel and serious restrictions to its activities. Doctors Without Borders (MSF) remained present in the area but suspended its activities at the General Hospital, relocating most of its medical operations away from Drodro.²⁷⁴ According to humanitarian sources, the humanitarian and security implications of this attack have been immeasurable, leaving civilians without medical care.²⁷⁵

²⁷⁰ Confidential sources, including medical staff, local community-based sources, civil society, UN and intelligence sources.

²⁷¹ Confidential sources, including medical staff.

²⁷² Confidential sources, humanitarian sources, FARDC and UN sources.

²⁷³ Humanitarian sources.

²⁷⁴ Humanitarian sources.

²⁷⁵ <https://www.msf.org/democratic-republic-congo-msf-calls-protection-patients-medical-facilities-and-civilians>

Annex 95 (para.160)

Kidnapping and killing of civilians at Tali

Enlèvement et assassinat des civils à Tali

Clashes between CODECO-URDPC and Zaïre combatants increased in early February 2024, notably in eastern Djugu territory, in areas along the shores of Lake Albert,²⁷⁶ where the two armed groups have been fighting over areas of influence (see [S/2023/431](#), para. 128 and annex 69).

Between 11 and 16 February 2024, the two armed groups clashed around Kafé and Mbogi,²⁷⁷ when Zaïre attacked CODECO-URDPC to dislodge them from the area. At least five CODECO-URDPC combatants were killed.²⁷⁸ In a spirit of vengeance consistent with their *modus operandi* ([S/2023/431](#), paras. 125 and 127, and annex 69), CODECO-URDPC combatants based in Tali village²⁷⁹ kidnapped at least 25 civilians at one of the roadblocks they had erected along the road passing through the village.

The abductees were held hostage for a short period of time at a nearby location. Several abductees managed to escape and alerted MONUSCO and the authorities. According to the testimony of a survivor, the abductees were ordered to undress and to gather around a large, several meters deep pit. Thereafter several were thrown into the pit and buried alive.²⁸⁰

MONUSCO and FARDC only managed to identify the location the day after the attack, and discovered the bodies of 15 individuals buried in a pit.²⁸¹ Videos of the unearthing of the bodies confirms that all 15 victims, including one woman, were undressed. Forensic analysis confirmed that most of the victims died of asphyxiation, although several also had wounds suggesting that they were either tortured or shot before being buried.²⁸² The victims were Hema, except one from the Nande community.²⁸³

The CODECO-URDPC combatants responsible for these killings were identified as elements from the 3rd CODECO-URDPC Brigade, under the general command of Serge Dekana, seconded by a commander known as Dany. Some of these elements participated in the fighting at Kafé and Mbogi the previous days and had lost comrades in the fighting. The CODECO-URDPC position at Tali already existed prior to the attack, with combatants manning roadblocks and guarding a nearby gold mine belonging to a Lendu businessman.²⁸⁴ Several sources confirmed that the attack was premeditated by combatants who wanted to seek vengeance against Hema civilians over the killing of their fellow CODECO-URDPC combatants.²⁸⁵ The commander in charge of the position at Tali, an individual named Awilo, was cited by multiple sources, including FARDC military justice, as having organized the kidnapping of the 25 civilians and execution of the 15 victims.²⁸⁶ According to an eyewitness, he was also present when FARDC unearthed the bodies.

The incident led to the complete suspension of civilian traffic for days and triggered retaliatory acts by Zaïre and further clashes between the two armed groups.²⁸⁷

²⁷⁶ Notably in the localities of Kafé and Mbogi

²⁷⁷ Situated in Lossandrema *groupement* of Bahema Nord collectivity. Also referred to as “Café”.

²⁷⁸ FARDC, intelligence, civil society and UN sources.

²⁷⁹ Locality in the Singo *groupement* of Bahema Nord collectivity, situated along the Bunia - Katoto-Kparanganza -Saliboko axis leading to Drodro, largely controlled by CODECO-URDPC combatants.

²⁸⁰ FARDC, intelligence source, UN and civil society source sources.

²⁸¹ FARDC and UN sources, video evidence.

²⁸² FARDC and intelligence sources. Two victims had visible headwounds and traces of blood were found in the vicinity of the burial site.

²⁸³ FARDC, intelligence, UN and civil society sources.

²⁸⁴ The nearby Kpanganza gold mining area was under CODECO-URDPC control. Community-based source, civil society.

²⁸⁵ FARDC, intelligence and civil society sources

²⁸⁶ FARDC investigation report consulted by the Group.

²⁸⁷ FARDC, intelligence, UN and civil society sources.

Annex 96 (para. 161)

Kidnapping and killing of 15 civilians at Galay and Andisa

Enlèvement et assassinat de 15 civils à Galay et Andisa

Tensions that have been broiling in the Banyali-Kilo sector, in the western part of Djugu territory (see para. 149), escalated in early April 2024.

On 6 April 2024, CODECO-URDPC combatants of the Bon Temple faction, coming from Andisa and Mbau-Kodolu in the Banyali-Kilo sector,²⁸⁸ attacked Galay village in the early morning.²⁸⁹ According to FARDC and intelligence sources, the attackers killed at least 18 persons during the attack, including 15 civilians of whom four women, as well as two Zaïre combatants, and a FARDC soldier who succumbed from his injuries one day later. During the same attack, the assailants kidnapped another 18 civilians who were forced to carry looted goods to the CODECO Bon Temple's base in Andisa. On 8 April, news of the killing of 15 hostages was reported, of whom were 12 men, two women and a two-week-old baby. The hostages were reportedly burnt alive.²⁹⁰

Andisa and Mbau-Kodolu have been under the command and control of CODECO Bon Temple commander Kadogo over the past year.²⁹¹ Commander Kadogo controlled the southwest part of Banyali-Kilo sector, from where he attacked key Zaïre positions in Pluto, Lodjo (headquarters of Zaïre leader Logo Marine), Mbidjo and Galay, in attempts to control the key mining areas in the region.²⁹²

²⁸⁸ West of the national road RN17 leading from Bunia to Djugu

²⁸⁹ Mabilindey *groupement*, Banyali Kilo sector, approximately 40 km North-West of Mongbwalu.

²⁹⁰ FARDC, intelligence, civil society and UN sources

²⁹¹ FARDC and intelligence sources.

²⁹² FARDC, intelligence and UN sources.

Annex 97 (para. 163)

Weekly production on a few mining sites in Djugu territory

Production hebdomadaire sur quelques sites dans le territoire de Djugu

	Mining sites	Groupement	Weekly production (g)
Zaire	Lyikidha	Gayi	420
	Dix sept	Mabilindeg	800
	Désert	Mabilindeg	1500
	Paradiso	Mabilindeg	3500
	Nokono	Mabilindeg	1200
	Bianda	Mabilindeg	540
	Kopi	Mabilindeg	410
	Belgica	Mabilindeg	300
	Itendey	Agonema	420
	Penge	Agonema	420
	Lony mokili	Mandje	2800
	Dhalo	Kpandhinga	160
	Usine	Mandje	450
	Shabani	Mandje	230
	FM Bogoro	Mandje	380
	Budjokpa	Taratibo	220
CODECO	Gbado	Kilongozi	320
	Mayolo	Anyolo Tchulu	80
	Amena	Anyolo Tchulu	140
	Sodu	Anyolo Tchulu	230
	Andasia	Anyolo Tchulu	50
	Makako	Kabakaba	400
	Kimbangu	Anylo Tchulu	120
	Mondinga	Anyolo Tchulu	140
	Banya	Anyolo Tchulu	140
	Mayolo	Anyolo Tchulu	155
	Amérique	Anyolo Tchulu	90
	Brésil	Mabilindeg	150
	FARDC	Beberse	Wazabo
Makala		Wazabo	3500
Senzere		Wazabo	3200
Mulanday		Mabilindeg	920
Kpangba		Tchibitchibi	2200
Lony mokili		Mandje	2800
Usine		Mandje	450
FM Bogoro		Mandje	380

Table prepared by the Group based on information collected during its investigations

Annex 98 (para. 171)

Selection of correspondence relating to the involvement of FARDC in mining activities

Exemples de courriers sur l'implication des FARDC dans les activités minières



République Démocratique du Congo
PROVINCE DE L'ITURI



TELEGRAMME

EXT-URGENT

GROUPE-DATE-HEURE

29 16308 02 24

DE : COMD OPS ET PROGOU ITURI

POUR : COMD 32RGN MIL-COMPROV PNC ITURI

INFO : VPM/MDNAC - CHEFEMG FARDC - COMGEN PNC - CHEF MM
- IG FARDC - AUDIGEN HCM - COMD CORPPN - SECT OPS
ITURI

SEC : SECRET

N°01 / 082 / PROGOU/ PI / 2024

REF LETTRE N° VPM / MDNAC / CAB / 0857 / 2024 DU 14 FEV 2024 (-)
RELATIVE (-) PRESENCE MIL ET POLICIERS DETACHES DANS MINES
RFO (-) VOUS INSTRUIS (-) TOUTES AFFAIRES CESSANTES (-)
RETIRER SANS DELAI (-) ELM FARDC ET PNC COMMIS A LA
PROTECTION DES EXPLOITANTS ILLEGAUX CHINOIS ET LEURS
COMPLICES (-) DANS RESERVE FAUNE A OKAPI (-) RAP ETRE ATTENDU
(-) EXECUTION CORRECTE (-) ACK (-) (-)



LUBOYA N'KASHAMA JOHNNY
LTGEN
COMD OPS ET PROGOU ITURI

29 16308 02 24



MINISTÈRE DE LA DÉFENSE NATIONALE ET
ANCIENS COMBATTANTS

Le Vice-Premier Ministre

Kinshasa, le

11.02.2024

N°VPM/MDNAC/CAB/0857/2024

Transmis copie pour information à :

- Monsieur le Vice-Ministre de la Défense Nationale ;
 - Monsieur le Chef d'Etat Major Général des Forces Armées de la République Démocratique du Congo ;
 - Monsieur le Commissaire Général de la Police Nationale Congolaise ;
 - Monsieur l'Auditeur Général des Forces Armées de la République Démocratique du Congo ;
 - Monsieur le Commandant du Corps pour la Protection des Parcs Nationaux et Réserves Naturelles Appartenées.
- (Tous) à **KINSHASA**.

A Monsieur le Gouverneur Militaire de la Province de l'Ituri à BUNIA

Objet : Présence des militaires et policiers détachés dans les mines de la RFO.

Excellence Monsieur le Gouverneur,

J'ai l'honneur de vous saluer et de vous informer qu'au cours de la réunion d'évaluation de la situation sécuritaire dans les Provinces sous Etat de Siège du 15 Nov. 2023, j'ai instruit le Commandant du Corps pour la Protection des Parcs Nationaux de procéder à l'arrestation des chinois et leurs complices qui exploient illégalement les minerais dans les Parcs Nationaux.

Il se fait qu'en cours de l'exécution de cette mission dans la RFO, les éléments armés des Forces Armées et de la Police Nationale commis illégalement à la protection de ces individus l'en ont empêché. Cette situation a failli provoquer une confrontation entre Forces armées (Eco-gardes contre FDS).

Pour mettre fin à cet état des choses, je vous saurais gré d'ordonner à tous les Commandants d'Unités de venir sans délai, sous les hommes de troupes et policiers commis à la protection des exploitants illégaux Chinois et leurs complices dans la Réserve de Faune à Okapi.

l'expression de mes sentiments patriotiques.

Veuillez agréer Excellence Monsieur le Gouverneur,

Jean-Pierre BEMBA COMBO





MINISTRE DE LA DEFENSE NATIONALE ET ANCIENS COMBATTANTS
CORPS POUR LA PROTECTION DES PARCS NATIONAUX ET RESERVES NATURELLES
CORPPN

Kinshasa, le 05 11 2024

N°0628 F ICCN/CORPPN/COMDT/24
0200

Transmis copie pour information à :

- Son Excellence Madame le Ministre de l'Environnement et Développement Durable ;
- Monsieur le Chef d'Etat-Major Général des FARDC ;
- Monsieur le Commissaire Général de la PNC ;
- Monsieur le DG ICCN

Référence: Compte rendu réunion évaluation état de siège du 15 novembre 2023

Objet: Exploitation illégale des minerais à la RPO
A Son Excellence Monsieur le Vice-Premier Ministre et Ministre de la Défense Nationale

Excellence Monsieur le Vice-Premier Ministre,

J'ai l'honneur de porter à votre autorité l'exécution de vos instructions émises au Commandant Corppn au cours de la réunion d'évaluation de la situation sécuritaire et opérationnelle des Provinces en état de siège du 15 novembre 2023.

En effet, en exécution de vos instructions les Eco-gardes du Détachement Corppn RPO, à l'arrondissement des exploitants illégaux dans la Réserve de Faune à OKAPI (RFO) située à EPULELI, Territoire de MANDASA, Province de ITURI.

Toutefois, au cours de l'exécution de leur mission, il a été fait que ces exploitants illégaux des minerais dans la RFO, dont les sujets chinois se trouvent être gardés par les éléments des FARDC et de la PNC, en dépit des directives du Chef d'Etat-Major Général des FARDC et du Commissaire Général de la PNC, interdisant les hommes en uniformes dans les zones d'exploitation minière.

Aux risques d'affrontements armés entre les forces armées engagées ensemble dans des opérations conjointes dans la province de l'Ituri en état de siège, les Eco-Gardes ont rapporté la délicate situation trouvée sur terrain.

De ce fait, je sollicite de votre Autorité que le Gouverneur Militaire et Commandant Opérationnel de toutes les Forces de Défense et de sécurité stationnées dans la Province de ITURI en état de siège, d'assurer tous les commandants de retirer leurs hommes commis à la garde des sujets chinois exploitants illégalement les minerais de la Réserve de Faune à OKAPI, site du patrimoine mondial de l'humanité et de prêter main forte aux Eco-Gardes dans l'accomplissement de cette mission.

Je prie de croire, Monsieur le Vice-Premier Ministre et Ministre de la Défense Nationale, l'assurance de mon profond respect.



Le Commandant du Corps pour la Protection des Parcs Nationaux et Réserves Naturelles
Général Major MASHI SAMBA ABERY
Commandant Province de l'Ituri



Republique Démocratique du Congo
PROVINCE DE L'ITURI



TELEGRAMME

EXT-URGENT GROUPE-DATE-HEURE
24/11/2024 05 24
DE : COMD OPS ET PROGOU ITURI
POUR : CHEFEMG FARDC
INFO : VPM/MDNAC - CHEF MM - COMD 3ZDEF
SEC : SECRET N°01 / 0628 F / PROGOU / PE / 2024

HONNEUR VOUS SALUER ET ACCUSER RECEPTION TG N°01/0241/EMG/DEPT OPS/24 DU 08 FEV 24 (-) RELATIF (-) DIRECTIVE INTERDISANT DETACHEMENT MIL AUPRES EXPLOITANTS ILLÉGAUX DANS RPO (-) EXECUTION ETRE EN COURS (-) PROFONDS RESPECTS (-) (-)

MASHI SAMBA ABERY
LTGEN
COMD OPS ET PROGOU ITURI



Republique Démocratique du Congo
PROVINCE DE L'ITURI



TELEGRAMME

EXT-URGENT GROUPE-DATE-HEURE
24/11/2024 05 24
DE : COMD OPS ET PROGOU ITURI
POUR : COMD 328GN MIL - COMPROV PNC ITURI - COMD SECT OPS ITURI - COMD 318DE DP
INFO : VPM/MDNAC - CHEFEMG FARDC - CHEF MM - COMD 3ZDEF
SEC : SECRET N°01 / 0628 F / PROGOU / PE / 2024

VOUS REPRODUIS IN EXTENSO (-) TG N°01/0241/EMG/DEPT OPS/24 DU 081213A FEV 24 (-) CITATION (-) REF LETTRE N°0628/ICCN/CORPPN/COMDT/24 (-) IL ETRE CONSTATE (-) MIL FARDC CONTINUENT GARDER SITES EXPLOITATION ILLÉGALE MINERAIS DANS RPO (-) DES RECEPTION PRESENT MSG (-) VOUS DEMANDE (-) INTERDIRE DETACHEMENT MIL AUPRES EXPLOITANTS ILLÉGAUX DANS RPO (-) TOUT CONTREVENANT PRÉSENTE DIRECTIVE DEVOIR ETRE SEVEREMENT SANCTIONNE (-) EXECUTION SANS FAILLE (-) FIN CITATION (-) VOUS ENJOINS (-) STRICTE APPLICATION DITE DIRECTIVE (-) EXECUTION URGENTE (-) ACK (-) (-)

MASHI SAMBA ABERY
LTGEN
COMD OPS ET PROGOU ITURI

TELEGRAMME

EXT-URGENT GROUPE-DATE-HEURE
081213A FEV 24
DE : CHEFEMG FARDC
POUR : PROGOU MIL ITURI
INFO : VPM/MDNAC - CHEF MM - COMD 3ZDEF
SEC : SECRET N°01 / 0628 F / EMG/DEPT OPS/24

REF LETTRE N°0628/ICCN/CORPPN/COMDT/24 (-) IL ETRE CONSTATE (-) MIL FARDC CONTINUENT GARDER SITES EXPLOITATION ILLÉGALE MINERAIS DANS RPO (-) DES RECEPTION PRESENT MSG (-) VOUS DEMANDE (-) INTERDIRE DETACHEMENT MIL AUPRES EXPLOITANTS ILLÉGAUX DANS RPO (-) TOUT CONTREVENANT PRÉSENTE DIRECTIVE DEVOIR ETRE SEVEREMENT SANCTIONNE (-) EXECUTION SANS FAILLE (-) ACK (-) (-)

COPIE : CHEFEM HERS
TSHIWEWE SONGESA CHRISTIAN
GENA
CHEFEMG FARDC



TELEGRAMME

EXT-URGENT GROUPE-DATE-HEURE 16:22:46 Oct 23
DE : COMD OPS ET PROGOU ITURI
POUR : COMD 32RGN MIL- COMD SECT OPS ITURI
INFO : VPM/ MDNAC- CHEFEMG FARDC - CHEF MM- IG FARDC- AUD MIL SUP ITURI
SEC : SECRET N°01 / 8.833 /PROGOU/ PI / 2023

CONSECUTIVEMENT CAUSERIE MORALE CHEFEMG FARDC (-) TENUE CE LUNDI 15 OCT 23 (-) PARADE GENERALE CAMP LYCOL KOKOLO (-) VOUS RAPPELE INSTR TR DANS TG (-) N° 00/1509/EMG/COMDT/21 DU 23 OCT 2021 (-) TG N°01/053/PROGOU/PI/2022 DU 11 FEV 2022 ET TG N°01/017/PROGOU/PI/2023 DU 11 JAN 23 (-) RELATIVES (-) INTERDICTION IMPLICATION MIL DANS RX EXPLOITATION MINIERE (-) VOUS ENJOINS (-) TOUT METTRE EN OEUVRE EN VUE METTRE FIN (-) PRESENCE ILLEGALE MIL DANS SITES MINIERS (-) EXECUTION URGENTE (-) ACK (-) (-)

LUBOYA NKASHAMA JOHNNY LTGEN COMD OPS ET PROGOU ITURI



TELEGRAMME

EXT-URGENT GROUPE-DATE-HEURE 13 17 48 0 FEV 22
DE : COMD OPS ET PROGOU ITURI
POUR : UNITES (TOUTES) OPS ITURI
INFO : MDNAC- CHEFF MM
SEC : SECRET N°01 / 8.853 /PROGOU/ PI / 2022

VOUS REPRODUIS IN EXTENSO TG N°00 / 1509 / EMG / COMDT / 21 DU 23 OCT 21 (-) EMANANT DU CEMG FARDC (-) CITATION (-) SELON INFO A MA DISPOSITION (-) CERTAINS MIL CONTINUENT A PARTICIPER AUX ATV EXPLOITATION MINIERE (-) VOUS RAPPELE (-) INTERDICTION IMPLICATION MILITAIRE DANS RX EXPLOITATION MINIERE (-) MISSION MILITAIRE DEVOIR ETRE STRICTEMENT OPS (-) TOUT CAS GARDIENAGE DEVOIR ETRE EXPRESSEMENT AUTORISE PAR VPM INT OU MDNAC (-) DORENAVANT (-) TOUT CONTREVENANT SERA SEVEREMENT SANCTIONNE (-) PRESENT MSG CONSTITUE INSTR PERMANENTE (-) ACK (-) FIN CITATION (-) PROMPTE EXECUTION ET LARGE DIFFUSION AUX HOES SOUS VOS ORDRES (-) ACK (-) (-)

LUBOYA NKASHAMA JOHNNY LTGEN COMD OPS ET PROGOU ITURI



TELEGRAMME

EXT-URGENT GROUPE-DATE-HEURE 11:00:78 Oct 23
DE : COMD OPS ET PROGOU ITURI
POUR : COMD 32RGN MIL-COMPROV PNC ITURI
INFO : MDNAC-CHEF EMG FARDC-CHEF MM-COMD SECT OPS ITURI-AUD MIL SUP ITURI
SEC : SECRET N°01 / 0.117 /PROGOU/ PI / 2023

REF TG N°01 / 053 / PROGOU / PI / 2022 DU 11 / 02 / 2022 (-) RELATIF (-) INTERDICTION IMPLICATION MIL DANS RX EXPLOITATION MINIER (-) VOUS RAPPELE (-) DITE INSTR REVET UN CARACTERE PERMANENT (-) VOUS ENJOINS (-) PRIMO (-) LUTTER IMPERATIVEMENT CONTRE CE PHENOMENE (-) SECUNDO (-) METTRE DIPO JM TOUT CONTREVENANT (-) EXECUTION CORRECTE (-) ACK (-) (-)

LUBOYA NKASHAMA JOHNNY LTGEN COMD OPS ET PROGOU ITURI



TELEGRAMME

EXT-URGENT GROUPE-DATE-HEURE 09/10/22 16:05
DE : COMD OPS ET PROGOU ITURI
POUR : COMD 32RGN MIL
INFO : MDNAC-CHEF EMG- CONGEN PNC- CHEF MM-COMPROV PNC ITURI-COMD SECT OPS ITURI-AUDI MIL SUP
SEC : SECRET N°01 / 0.117 /PROGOU/ PI / 2022

REF TG N°053 / PROGOU / PI / 2022 DU 11 FEV 22 (-) REPRODUISANT IN EXTENSO TG N°00 / 1509 / EMG / COMDT / 21 DU 23 OCT 2021 (-) RELATIF (-) INTERDICTION IMPLICATION MIL DANS RX EXPLOITATION MINIERE (-) VOUS DEMANDE (-) PRIMO (-) EFFECTUER URGEMMENT MISSION DANS TER MAMBASA EN VUE DE VERIFIER PRESENCE MIL DANS RX EXPLOITATION MINIERE (-) SECUNDO (-) METTRE DIPO AUDI MIL TOUT MIL RECALCITRANT QUANT A CE (-) RAP ETRE ATTENDU (-) ACK (-) (-)

LUBOYA NKASHAMA JOHNNY LTGEN COMD OPS ET PROGOU ITURI

Documents received from confidential sources

Annex 99 (para. 176)**Return of armed groups from North Kivu****Retour des groupes armés du Nord Kivu**

In late October 2023, several armed groups of northern South Kivu sent combatants to North Kivu, mainly around Sake and Bweremena, to fight against M23 and RDF ([S/2023/990](#), paras 86-87 and annex 54). This included several RM and MCDPIN factions and Mai-Mai leader “General Kirikicho”. However, in early November 2023 all RM and MCDPIN factions had returned to South Kivu except for “General Kirikicho”, who remained in North Kivu until he was wounded in January 2024.²⁹³

RM and MCDPIN leaders explained to the Group that they had not received the expected support by the DRC Government. In particular, in mid-2023 in Bukavu, RM was promised support during a meeting with South Kivu authorities, notably the Governor, Theo Ngwabidje Kasiand, and the commander of the 33rd military region, General Yav Avul who had encouraged RM factions to unite under one command and send troops to North Kivu. RM leaders admitted having received a few weapons and ammunition as well as food, but reported that some of the support they were meant to receive had been diverted notably by General Clément Bitangalo, the commander of the FARDC’s 32nd military region in North Kivu. On the other hand, several sources reported that RM and MCDPIN had never intended to remain in North Kivu but were pressured to do so by DRC authorities, who had given them an ultimatum to send troops to North Kivu in order to be considered as Wazalendo and hence avoid forced disarmament.²⁹⁴ Several sources explained that the recent arrest warrants against RM and MCPDIN leaders (see para. 177) were a consequence of RM and MCPDIN’s inaction or reluctance to send troop to North Kivu.

RM and MCDPIN continued to claim that they would send troops to North Kivu (see para 176) and refused to participate in the P-DDRCS in light of the ongoing M23 crisis. RM and MCDPIN leaders also told the Group that there would be consequences if they did not promptly receive similar support in weapons and ammunition as the support provided to the Wazalendo armed groups in North Kivu. They explained that meanwhile, some of the taxes they imposed on the population, including at illegal checkpoints erected on their way back to South Kivu between Sake and Bweremena, served the purpose of maintaining themselves.²⁹⁵

Several sources also reported that since their return to South Kivu, MCDPIN and especially RM combatants were more violent, increasingly committing human rights abuses and acting as *de facto* authorities in a number of areas, including the exploitation of and trade in natural resources.²⁹⁶ They were sometimes wearing FARDC uniforms.²⁹⁷

²⁹³ RM and MCDPIN leaders, FARDC, security, intelligence, researchers, civil society and UN sources.

²⁹⁴ FARDC, security, intelligence and researchers.

²⁹⁵ At time of drafting, M23 had taken control over that area.

²⁹⁶ FARDC, security, researchers, civil society and UN sources.

²⁹⁷ Ibid.

Annex 100 (para. 178)**Tensions between Burundi and Rwanda****Tensions entre le Burundi et le Rwanda**

Since mid-2023 tensions between Burundi and Rwanda have exacerbated. Although rooted in years of complex regional dynamics, these more recent tensions have been the consequence of several converging factors, some of which are presented below.

Multiple sources interviewed by the Group reported deep political divisions within the Burundian ruling party *Conseil national pour la défense de la démocratie – Forces de défense de la démocratie* (CNDD-FDD) which have had direct repercussions on regional dynamics. These political divisions were notably linked to the relations between Burundi and Rwanda. Indeed, in order to gain importance within his own party, President Ndayishimiye tried a rapprochement with Kigali shortly after his election as President of Burundi in mid-2020. One of his objectives was to obtain the extradition of the alleged putschists of 2015 hosted by Rwanda, notably Général Godefroid Niyombare. Although Rwanda had been amenable to the request at first, it suddenly shut it down in the first quarter of 2023. This was considered as a political failure and humiliation for President Ndayishimiye. The majority in his party, notably the secretary-general Révérien Ndikuriyo, considered that President Ndayishimiye had been outsmarted by Rwanda and started pressuring him to distance himself from Rwanda. This impression was further worsened by the resumption of Rwanda's support to the armed group Red-Tabara.

President Ndayishimiye thus began getting closer to President Tshisekedi and agreed to send FDNB troops to North Kivu to support FARDC in the fight against M23 and RDF ([S/2023/990](#), paras 43-46 and paras 81-87 of the present report). Several sources reported that President Ndayishimiye received economic incentives by President Tshisekedi, for him personally and for troops to be deployed and economic trade. For example, officials involved in the fight against gold smuggling in South Kivu have been instructed not to expose the networks linked to Burundi, in order to preserve the security partnership between the two countries.²⁹⁸ The sending of FDNB troops and subsequent recruitment campaigns were however unpopular within the CNDD-FDD and the FDNB leadership. Several FDNB soldiers and Imbonerakure also refused to join operations in North Kivu.

Tensions between Burundi and Rwanda reached a peak after the refusal by President Kagame to intervene for the liberation of FDNB soldiers taken hostage by M23 in November 2023 (see para 85) as well as after the Red-Tabara attack in Vugizo in December 2023 (see para. 180). Shortly after, President Ndayishimiye unilaterally decided to close land borders with Rwanda, which was also not unanimously approved within his own party. The closing of the borders had a significant impact on economic activities, including for DRC nationals who used to pass through Rwanda to enter in Burundi around the Ruzizi plain.

²⁹⁸ Confidential and security sources

Annex 101 (para. 179)**Rwanda's offer to support Red-Tabara and parallel initiative****Offre du Rwanda de soutenir Red-Tabara et initiative parallèle**

In parallel with the offer of support by Rwanda to Red-Tabara leader Gisiga (Nicolas Niyukuri) in exchange for Red-Tabara combatants joining M23 (para 179), Rwanda encouraged Gisiga to surrender to Burundi in early 2023, along with other of his combatants.²⁹⁹ Rwandan intelligence services facilitated the negotiations with Burundian intelligence services through several intermediaries, including Mai-Mai commander Demayi who was close to FDNB,³⁰⁰ an individual called Madame Dorcas Ndausso,³⁰¹ and the UN Special Envoy for the Great Lakes region. During the negotiations, over 200 Red-Tabara and possibly FNL combatants were identified for demobilization.³⁰² However, shortly after, the initiative failed.

Several sources stated that the initiative was meant to fail, as it was a manipulation by Rwandan intelligence services to distract Burundi from its rapprochement with DRC. Some sources also attributed the failure of this initiative to the growing tensions between Rwanda and Burundi, while others, including Alexis Sinduhije, explained that the Red-Tabara leadership had rejected the demobilisation initiative as well as the original offer of support by Rwanda in exchange for Gisiga and his combatants to join M23. Red-Tabara leadership thus arrested and summarily tried Gisiga³⁰³ as well as a dozen Red-Tabara officers, including the Red-Tabara spokesperson, Patrick Nahimana. At their trial, Gisiga and Révérien, Red-Tabara's officer in charge of logistics, were both sentenced to death and executed in May 2023.³⁰⁴

²⁹⁹ Alexis Sinduhije, intelligence, researchers, diplomatic and UN sources. Rwanda however denied any involvement in such initiative in a letter to the Group in April 2024.

³⁰⁰ Demayi used to be in charge of logistics in MM Buhirwa and as such facilitated FDNB infiltrations in DRC in the Ruzizi plain (S/2022/479, para. 74).

³⁰¹ Former combatant during the Second Congo war, she remained close to armed groups, particularly from the Bafuliuru community.

³⁰² Alexis Sinduhije, intelligence, researchers, diplomatic and UN sources.

³⁰³ Alexis Sinduhije, intelligence, researchers, diplomatic and UN sources.

³⁰⁴ Alexis Sinduhije.

Annex 102 (para. 180)

Reactions to Red-Tabara attacks in Burundi

Réactions aux attaques de Red-Tabara au Burundi

Following the Vugizo attack in December 2023, the Burundian government immediately condemned the attack and accused Red-Tabara of killing 20 civilians, including 11 children.³⁰⁵ On 29 December, President Ndayishimiye went further during a press conference, denouncing Rwanda's support of the Vugizo attack and calling on Burundians to support DRC in the fight against M23.³⁰⁶ As mentioned in para. 179, while Red-Tabara quickly claimed the attack, it denied any collaboration with Rwanda or M23, and accused Burundian soldiers of being responsible for the killings, calling for an independent investigation.³⁰⁷

Several sources, including one with access to eyewitnesses testimonies, also stated that Red-Tabara had only attacked the military position at the entrance of the village, fleeing shortly afterwards, and that it was the FDNB together with Imbonerakure who had killed the civilians.³⁰⁸ Other sources claimed that the Burundian authorities purposefully arrived almost an hour later at the scene of the incident to use this attack as an excuse to escalate tensions with Rwanda and further justify their involvement in fighting M23 and RDF in the DRC.³⁰⁹ A few days later, Rwanda rejected Burundi's accusations.³¹⁰ Both countries continued blaming each other in a series of communiqués and press conferences between January and March 2024.

During a meeting with the Group, Sinduhije warned that Red-Tabara attacks in Burundi would increase as Red-Tabara had recruited new combatants and was receiving additional financial support from the diaspora. He also explained that the current tensions between Burundi and Rwanda had offered Red-Tabara an opportunity to conduct attacks in order to force Burundi to change its strategy towards the armed group. Similarly, multiple sources considered that the Government of Rwanda had an interest in reactivating Red-Tabara's threat, in order to provide a distraction for FDNB operations in North Kivu.

³⁰⁵ <https://twitter.com/NtareHouse/status/1738612276284756360>.

³⁰⁶ <https://www.facebook.com/PresidenceBurundi/videos/7530037490360256/>.

³⁰⁷ https://twitter.com/Red_Tabara/status/1738543742544412921.

³⁰⁸ Researchers, civil society and UN sources.

³⁰⁹ Researchers, security, diplomatic and UN sources.

³¹⁰ <https://www.gov.rw/blog-detail/no-truth-whatsoever-in-burundian-presidents-allegation-referring-to-rwanda>

Annex 103 (para. 181)

Troop reinforcements along the borders of Rwanda, Burundi and DRC

Renforcement des troupes le long des frontières du Rwanda, du Burundi et de la RDC

Following the unilateral closing of the borders between Burundi and Rwanda, both countries intensified the reinforcement of their troops along their mutual borders and with DRC's South Kivu borders. In a letter to the Group, Rwanda acknowledged "any RDF deployment is guided by the need to counter the threats to Rwanda's territorial integrity. Following the plan and public announcements by the Presidents of DRC and Burundi to support regime change in Rwanda, the Government of Rwanda has taken appropriate defensive measures".

The RDF deployment at DRC's borders created nervousness among the DRC security forces, the population and armed groups in South Kivu which considered these troop reinforcements as a possible sign of additional infiltrations by Rwanda and M23, amidst persistent rumors of the opening of a second front in the area.³¹¹

For example, Rwanda regularly sent reinforcement of troops to Nkombo island, just south of DRC's Ibindja island on Kivu Lake, close to Bukavu. This triggered FARDC deployment of troops in the area.

In February 2024, FARDC also jointly deployed with FDNB on Idjwi island.³¹² More generally, FDNB not only reinforced troops at its border with DRC to prevent Red-Tabara attacks, but also intensified joint patrols with FARDC at the borders between Burundi and DRC and in some cities such as Baraka. This sometimes led to restrictions of movement of the local population and suspension of farming activities.

In northern Burundi, FDNB troops were reportedly mixed with Imbonerakure, particularly in Kirondo province.

³¹¹ Mai-Mai representatives, FARDC, researchers, civil society, local authorities and UN sources.

³¹² FARDC, local authorities and UN sources.

Annex 104 (para. 182)**Background on Burundi collaboration with CNRD-FLN****Historique de la collaboration entre le Burundi et le CNRD-FLN**

In the past, CNRD-FLN used Burundi as a safe haven, including for the armed group's relatives, and as a rear base for training and launching attacks against Rwanda.³¹³ During the rapprochement attempt of Burundi with Rwanda in 2022 and early 2023, Burundi distanced itself from CNRD-FLN. However, since the renewal of Red-Tabara support by Rwanda and the exacerbation of tensions between Burundi and Rwanda, collaboration between Burundi and CNRD-FLN also restarted.³¹⁴

In early 2023, Burundi notably used CNRD-FLN to facilitate its operations against Red-Tabara in DRC and to coordinate with other Mai-Mai groups. One of the key CNRD-FLN officers was "colonel" Fabien Mukeshimana, alias Kamayi, alias Kamari, who was based in Kibira forest with Jeva. In March and April 2024, Mukeshimana, crossed several times into DRC to organize meetings with FDNB and local armed groups that Burundi used as proxies or scouts, such as Mai-Mai Makanaki, Mai-Mai Kijangala, Mai-Mai Kapapa and Gumino ([S/2023/431](#), para 138).³¹⁵ Kamari was however arrested in Cibitoke by the Burundian authorities in mid-April 2023.³¹⁶ Despite Rwanda's requests, Burundi did not transfer Kamari and released him shortly after his arrest, which added to the already existing tensions between the two countries. Rwanda confirmed in a letter to the Group that Kamari continued "enjoy(ing) the freedom of action and movement in Burundi and lives in Bujumbura, supervising CNRD-FLN activities and serving as a Liaison Officer."

³¹³ Researchers, civil society, intelligence, diplomatic and UN sources.

³¹⁴ DRC local authorities, researchers, civil society and UN sources.

³¹⁵ Mai-Mai leaders, researchers, civil society, intelligence and UN sources.

³¹⁶ Although the Burundian authorities denied the arrest and even knowing of Kamari's existence in a letter to the Group.

Annex 105 (para. 187)**Example of opportunism of Congolese armed groups based in South Kivu****Exemple de l'opportunisme des groupes armés congolais basés au Sud Kivu**

The links between M23, AFC and Rwanda and several Congolese armed groups based in South Kivu demonstrate the opportunistic approach of some of these Congolese armed group leaders. Over the years, they have constantly echoed and used xenophobic rhetoric against “balkanization” and foreign infiltrations, in particular against Rwandophones and Tutsis ([S/2021/560](#), paras 153-155) and therefore continued clashing with Twirwaneho and attacking the Banyamulenge population (see para. 188). However, they were ready to collaborate with their so-called enemies as soon as they could gain from it.

For example, “General” Ebuela Mtetezi, leader of FDPC whose collaboration with Twirwaneho, Rwanda and AFC were reported by multiple sources,³¹⁷ issued several communiques and appeared over the years in many videos openly attacking the Banyamulenge community and Rwanda infiltrations.

As an additional example to the videos linked in the Group’s final report of 2021 ([S/2021/560](#), annexes 99 and 101), Ebuela explained in a 2023 propaganda video that largely circulated on social media that he was “going on operations” (i.e., against Twirwaneho and the Banyamulenge community) because Makanika “gathered all his Rwandan brothers who call themselves Banyamulenge who are those spreading destruction amongst our populations by killing and raping”. This is a common discourse in South Kivu, inciting hatred, discrimination, hostility and violence, by amalgamating Banyamulenge with Rwandans and thus as enemies ([S/2022/967](#), paras. 72-77).



Video sent to the Group by several sources

Ironically, in response to a letter of one FDPC’s deputy commanders, Justin Kakobanya ([S/2021/560](#), annex 99) accusing Ebuela to collaborate with the M23 “terrorists and aggressors” (see annex 106), Ebuela continued a similar discourse of “balkanization” and “Machiavellian plans” referring to M23, Rwanda and Twirwaneho. He also referred to them as the “terrorist and genocidal enemy” (see below).

³¹⁷ Armed group representatives, researchers, intelligence, security, diplomatic and UN sources. In addition, the collaboration of several of the collaborators and commanders of his coalition FDPC with M23 and Rwanda was also reported. For example, in 2022, Samy Bakasane, the then president of FDPC was arrested in Goma as he was returning from Rwanda where he had held meetings with authorities and M23 representatives.

REPUBLIQUE DEMOCRATIQUE DU CONGO
COALITION DE FORCES DES PATRIOTES POUR LA DEFENSE DU CONGO- MOUVEMENT DE LIBERATION



« FPDC-ML ».
ARMEE DE L'ESPOIR DU CONGO
« AEC ».
ETAT – MAJOR GENERAL
COMMANDEMENT DES FORCES COALISEES



COMMUNIQUE OFFICIEL DU 24. FEVRIER, 2024

CONCERNE : **Mise au point par rapport à la lettre N°/Ref. 001/FDCC/ CommdFce/SK/2024 Signifiant le retrait de Force D'autodéfense Communautaire au Congo « FDCC» dans la coalition FPDC-ML.**

La coalition FPDC-ML, lu sans surprise la lettre susmentionnée pour de raison tribale et/ou communautaire de course au pouvoir et avons l'obligation d'y réserver notre réaction libellée en des points ci-dessous :

1. FPDC-ML, restera toujours la coalition résistante de la République Démocratique du Congo fondée sur le patriotisme-nationalisme ;
2. Du 17 au 18 Novembre 2023 dans la réunion tenue à Kitasha groupement Balala Nord , Secteur de Tanganyika, Territoire de Fizi. La coalition FPDC-ML a chargée le signataire de ladite lettre d'ouvrir l'enquête sur les personnes qui collaborent avec les ennemis de la République jusqu'à maintenant le résultat d'enquête tarde malgré l'urgence sécuritaire mais à ma connaissance son grand frère et une longue liste des personnes chargées de la politique de FDCC, collaborent avec le RDF/M23 via le colonel déserteur MAKANIKA et les groupes armés étrangers sous la facilitation de leurs frères qui travaillent avec ces groupes armés qui n'ont jamais été les groupes résistants pour le Congo sous prétexte de la recherche de la paix à Kitasha dont hébergement et passage libre de ces derniers dans cette entité libère par FPDC-ML au su et au vu de tout le monde.
3. la désertion du colonel MAKANIKA et la présence des groupes armés étrangers dans la province du Sud-Kivu, en particulier dans les hauts plateaux d'Uvira-Fizi-Itombwe/Mwenga témoignent les positions avancées de RDF/M23, AFC et UPDF dans l'accomplissement de leurs plans machiavéliques de l'agression et balkanisation, choses que la coalition FPDC-ML, est le premier à combattre et à dénoncer depuis leur présence dans la zone jusqu'à nos jours. FPDC-ML, tient au processus de NAIROBI.
4. En fin FPDC-ML, invite les patriotes résistants Congolais à la vigilance afin d'éviter de tomber ~~dans les pièges et jeux de l'ennemi agresseur terroriste et génocidaire, animés par l'esprit patriotique et nationalistes.~~

Fait à milima ya mababu le 24/02/2024



Pour FPDC-ML
Lt. Général MTETEZI KIBUKILA WA SEBA TRESOR
Commandant de forces coalisées

Cc:

- A son excellence Monsieur le haut mandataire de chef de l'Etat dans le processus de Nairobi à **Kinshasa**;
- A Tous les membres de conseil de sécurité nationale à **Kinshasa** ;
- A Tous les membres de conseil de sécurité provinciale à **Bukavu**;
- A Tous les membres de conseil de sécurité territoriale d'Uvira-Fizi et Mwenga ;
- A Tous les commandants des patriotes congolais (wazalendo) ;
- A Tous les médias Internationaux, Nationaux et locaux.

Coalition force des patriotes pour la defense du congo mouvement de liberation FPDC-ML; e-mail: fpdemrdcongo@gmail.com

Document provided to the Group security sources

Annex 106 (para. 188)**Examples of Congolese armed groups using accusations of collaboration with M23 to settle internal rivalries****Exemples of de groupes armés Congolais utilisant les accusations de collaboration avec le M23 pour régler des rivalités internes**

In some cases, accusations of links with M23, Rwanda or AFC were used to settle internal rivalries between armed groups and within their own ranks.

For example, in February 2024 Kakobanya, one of FDPC's deputy commanders (and leader of his own group, FDDC), denounced the collaboration of Ebuela with M23 and declared the dissolution of the FDPC coalition (see below). While multiple sources reported that the accusation was true (see annex 105), some also mentioned that the underlying reason for this dispute was related to tensions between Kakobanya and Ebuela regarding the management of gold mines and other financial interests, and that this accusation was the most efficient way to cast aside Ebuela.³¹⁸ FDPC's spokesperson had already mentioned this in a communiqué published in January 2024, stating notably that accusations against Ebuela were linked to "jealousy", and then accused the "detractors" of being themselves allied with "M23, TWIRWANEONGumino/AFC" (see below). In a counter-communicé of February 2024, Ebuela also claimed that the accusations against him were linked to a "tribal and/or community power struggle" (see annex 105). In March 2024, following the reported collaboration of Ebuela with M23, FARDC/FNDB planned operations against his headquarters in Kipupu, resulting in Ebuela fleeing the area and an important group of his combatants joining other Mai-Mai groups considered as still fighting M23.³¹⁹

Similarly, infighting between FABB leaders broke out early 2024. First, in March 2024, FABB military commander, Ngomanzito, suspended FABB president, Naluhogola, for allegedly collaborating with "the invaders" (see communiqué below), although Ngomanzito had sent Naluhogola to represent him in Nairobi for the announcement of AFC in December 2023. Sources reported that tensions had arisen between the two, following the AFC meeting, as Naluhogola had not shared the money he received in Nairobi to seal the collaboration with FABB.³²⁰ In addition, shortly after, FABB commander Hassani Mbakani Célestin ([S/2021/560](#), para 139) clashed with Ngomanzito as Hassani refused to continue collaborating with Red-Tabara, and thus with M23 and Rwanda.³²¹ Indeed, since the dislodging of Red-Tabara around Bijombo by FDNB in January 2023, Red-Tabara and FABB have been closely collaborating, especially for the exploitation of gold mines in Bigaragara and Rugezi.³²² This collaboration between FABB and Red-Tabara had already created tensions with Yakutumba in December 2023, with which FABB was in alliance too. However, the tensions between Ngomanzito and Hassani were also related to a broader power struggle and financial issues, as Ngomanzito had replaced Hassani as FABB military commander in 2022 and had moved to Hassani's area of operations around Bigaragara, where he benefitted from most of the revenues of the illegal mining, creating tensions between the two individuals.³²³

³¹⁸ Mai-Mai representatives, intelligence, researchers and UN sources.

³¹⁹ Mai-Mai representatives, FARDC, intelligence, security, researchers and UN sources.

³²⁰ Mai-Mai representative, researchers, intelligence and security sources.

³²¹ Mai-Mai representatives, intelligence, security, researchers and UN sources.

³²² Mai-Mai representatives, FARDC, intelligence, security, local authorities, civil society, researchers and UN sources.

³²³ Mai representative, researchers and security sources.

Kakobanya communiqué of 21 February 2024 accusing Ebuela of collaborating with M23



Commandant force FDCC

N/Réf : 001/FDCC/CommdFce/SK/2024

Kitasha, le 21 Février 2024

Transmis copie pour information à :

- Son Excellence Monsieur le Ministre National de l'Intérieur à **Kinshasa** ;
- Excellence Monsieur le Ministre Provincial de l'Intérieur à **Bukavu** ;
- Messieurs les Administrateurs de Territoire (Tous)
- Monsieur le Coordinateur National des Réservistes(wazalendo)à **Kinshasa**
- Monsieur le Général des FARDC à **Bukavu** ;
- Monsieur le Général des FARDC à **Uvira** ;
- Monsieur le Commandant sous-Secteur des FARDC à **Fizi-Centre**
- Monsieur le Général des FARDC à **Minembwe** ;
- Monsieur le Commandant Régiment des FARDC à **Baraka** ;
- Messieurs les wazalendo :
 - Général AMURI YAKUTUMBA/CNPCC
 - Général NGOMANZITO/CPLC-FABB ;
 - Général MEDI/CPDC,(Tous) Territoire de **Fizi-Mwenga**;
- Médias locaux et nationaux de la RD Congo.

Objet : Rupture de la coalition entre la Force de Patriote pour la Défense du Congo/Armée Espoir du Congo et FDCC

A Monsieur le Commandant de Force de Patriote pour la Défense du Congo/ Armée Espoir du Congo « FPDC » à **Milima ya Mababu**

Partant des rumeurs qui circulent sur les réseaux sociaux annonçant la coopération des certains mouvements de réservistes (Wazalendo) avec les terroristes M23 et agresseurs de notre unique et pays de nos ancêtres, la République Démocratique du Congo. Par l'honneur, nous saisissons cette occasion de venir auprès de votre magnanimité, exprimer ce dont repris à l'objet.

Nous, mouvement des Forces D'autodéfense Communautaire au Congo « FDCC » en sigle, œuvrant dans les hauts et moyens plateaux de Fizi, Uvira et Mwenga. La présente correspondance marque la rupture de la coalition entre la Force de Patriote pour la Défense du Congo/Armée Espoir du Congo, FPDC dirigée par le Général EBUELA WA SEBA Mtezi et notre mouvement des Forces D'autodéfense Communautaire au Congo, souder au principe de « Ne jamais trahir le Congo. Dès maintenant, chaque mouvement reste neutre, indépendante et autonome.

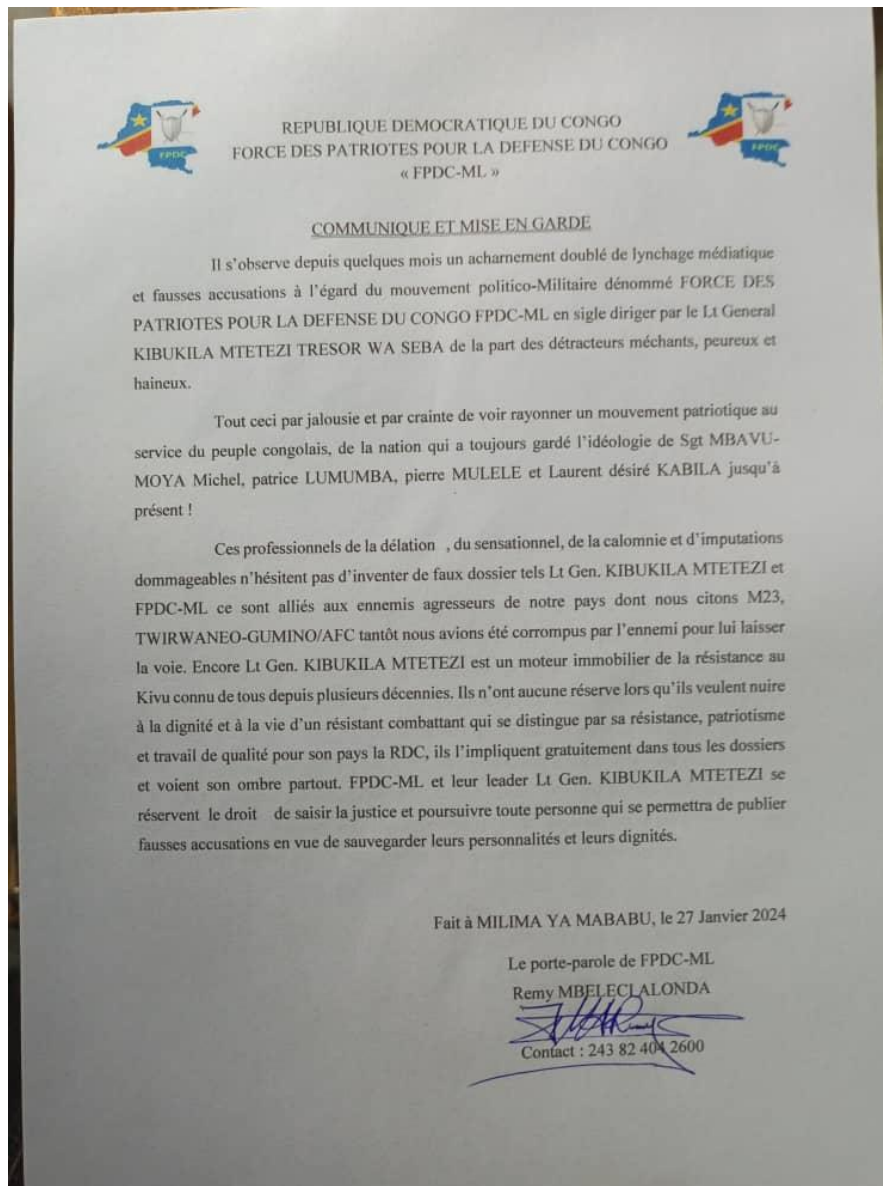
Veillez agréer, Monsieur, l'expression de nos sentiments civiques et patriotiques.

Pour les Forces D'autodéfense Communautaire au Congo


 Justin KAKOBANYA NAKALAMBI
 Commandant force du Mouvement FDCC

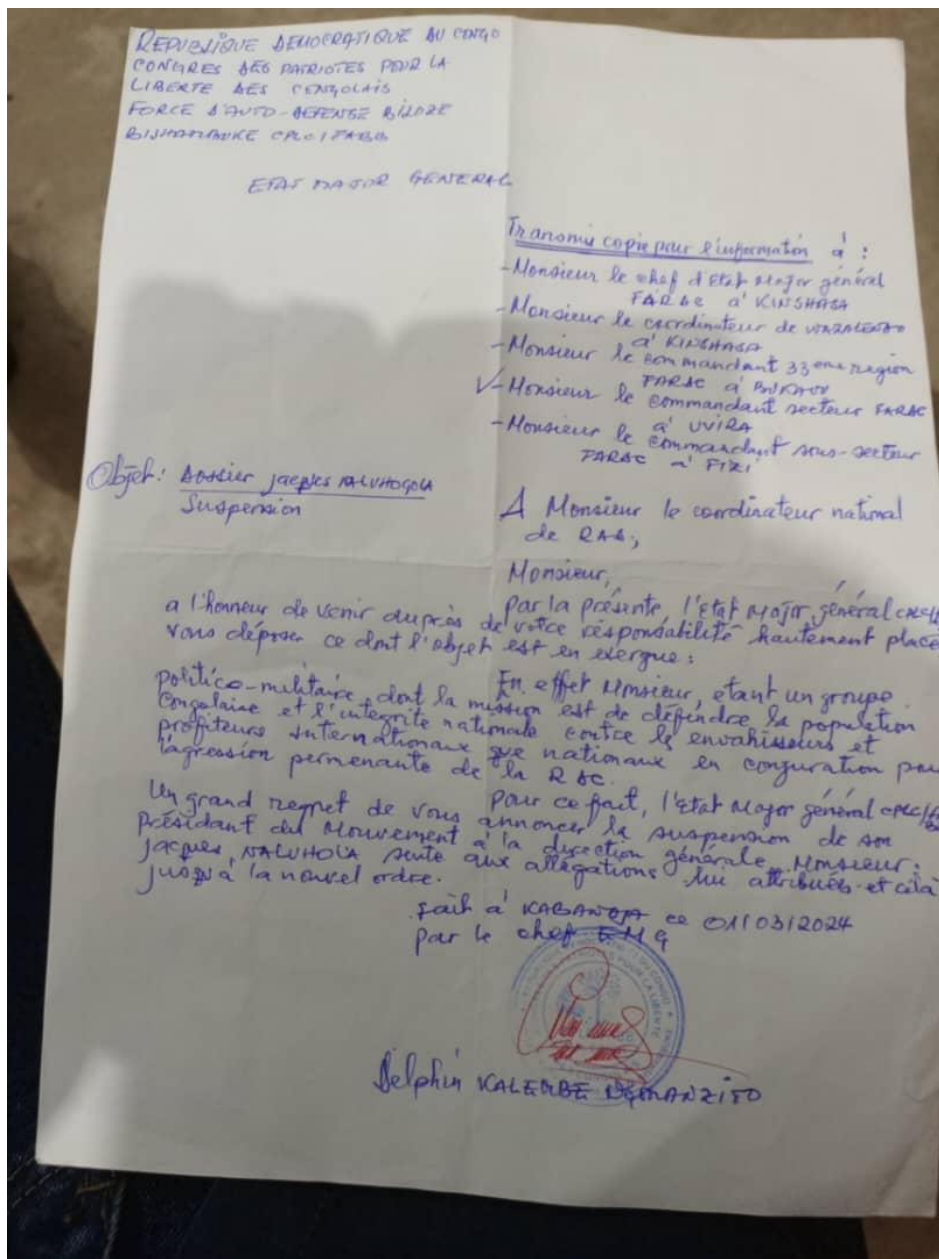
Document sent to the Group by several sources

FDPC's spokesperson communique of 27 January 2024 defending Ebuela against accusations of collaboration with M23



Document received by the Group from several sources

Ngomanzito communiqué of 1 March 2024 accusing Naluhogola of collaborating with M23



Document received by the Group from several sources

Annex 107 (para. 189)

Clashes between groups over the gold revenue sharing

Affrontements entre les groupes armés pour le partage des revenus générés par l'exploitation de l'or

The Group was informed of clashes between armed groups operating in Fizi territory, most of them essentially motivated by disagreements over gold revenue-sharing.³²⁴ For example, on 24 August 2023, FABB elements clashed with Mai Mai Yakutumba elements around gold mining sites in Nyange. Several sources told the Group that FABB had launched the attack to force Mai-Mai Yakutumba's group to leave the area for a few days in order to allow FABB to collect taxes from artisanal miners.³²⁵

³²⁴ Armed groups leaders and security sources.

³²⁵ Miners, security and confidential sources.

Annex 108 (para. 190)

Receipts of illegal taxes levied by Mai Mai Yakutumba

Reçus des taxes illégales prélevées par les Mai Mai Yakutumba



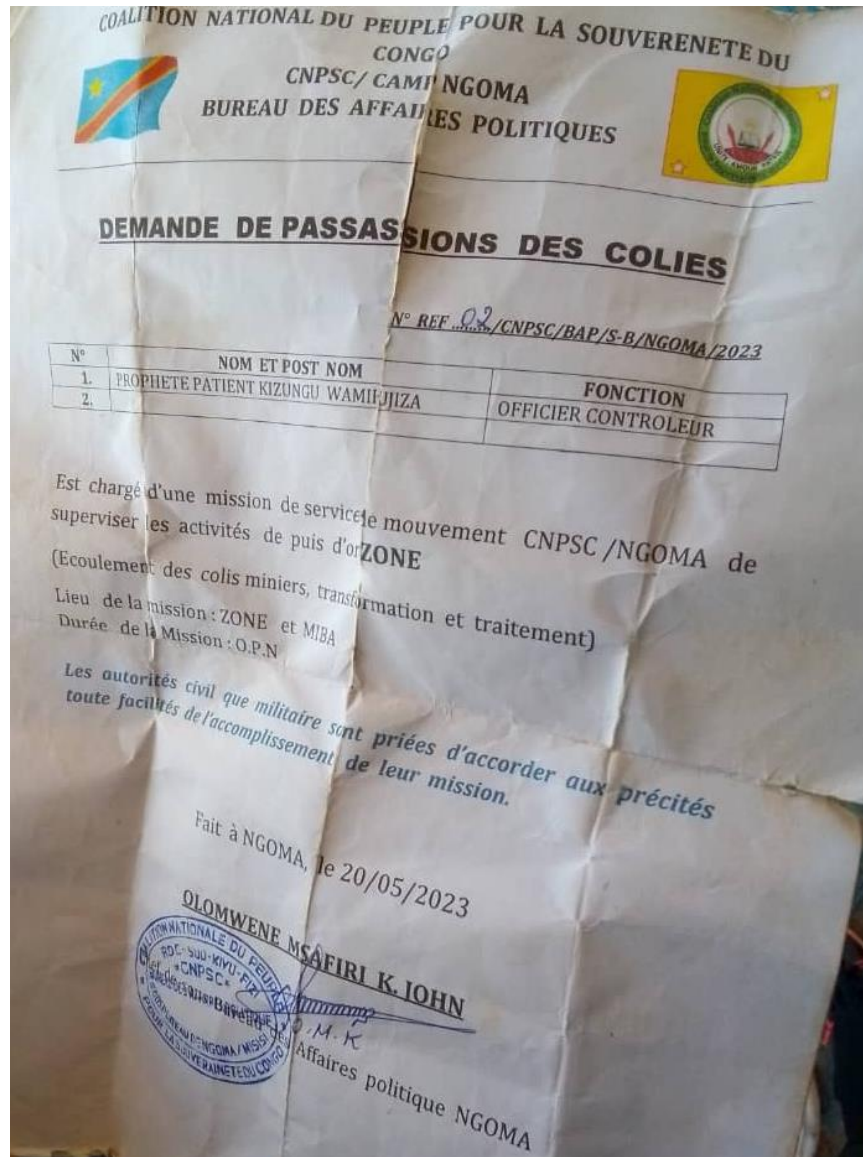
Receipts received from confidential sources

Annex 109 (para. 190)

Mission order confirming the presence of Mai Mai Yakutumba on the mining sites Zone and Miba

Ordre de mission confirmant la présence des Mai Mai Yakutumba sur les sites miniers Zone et Miba

The document below, authenticated by the Group, is a pass issued by a leader of Mai Mai Yakutumba to one of its members to allow the latter to move freely between one of the hills where gold is mined in Zone and Miba, where mineralized ore is processed.



Document provided to the Group by a confidential source

Annex 110 (para. 190)

Illegal taxation by FARDC in Misisi

La taxation illégale par les éléments FARDC à Misisi

FARDC elements stationed in Misisi mining area, Fizi territory, benefitted from revenues collected at a checkpoint between Miba and the Katchanga hill. FARDC members charged bicycles carrying mineralized ore (see below), i.e., the equivalent of \$0.50 per bicycle per crossing. The Group estimates that at least 4,000 bicycles crossed the checkpoint every day, yielding at least \$2,000 daily.

The image below shows a demonstration on 9 April 2024 of bicycle owners in Misisi area against the illegal taxation imposed by FARDC members.



Screenshot of a video received from a confidential source

Annex 111 (para. 201)**Codewords used in Shikama Uvira's financial statements****Mots codés utilisés dans les états financiers de Shikama Uvira**

Several sources, including members of different mutual societies (“Shikama”) in the DRC and other countries, community members in Minembwe, Uvira, Goma, Bukavu and Kinshasa and FARDC elements provided a converging interpretation of the codewords used in documents provided to and reproduced by the Group (see below). The excerpts from the financial statements presented below were redacted to preserve the identity of the sources.

The statements used codewords to designate military support activities. For example, the word “ibishimbo”, translated “beans”, designates ammunition; “amahuzu”, translated “jobs”, designates military fatigues. The statements also referred to “inkoni” (sticks), and “umutekano” (security).³²⁶

The statements referred to several military support items and services including ammunition, military fatigues, arms, intelligence missions in the DRC, Rwanda and Burundi, as well as money paid to the FARDC not to attack the Twirwaneho, military communications and transport.³²⁷

The statements refer to humanitarian aid provided, including seeds, sugar, school and “aid” to population. The Group also obtained records of \$8,000 sent to obtain the release of four Banyamulenge civilians abducted by a Mai Mai group.³²⁸

Some items referenced in the statements designated activities that were meant for both civilians and combatants, such as food and medical treatment. For example, “kuvuza abagway” (treatment for patient), defined medical treatment, although without specifying clearly civilian or military destination. Nonetheless, sources informed that health-related aid was mainly meant for the Twirwaneho, since wounded civilians were usually already taken care of by international humanitarian organizations active in the DRC³²⁹. Likewise, sources informed that the word “ibitaro / imiti” (hospital and medicines), designated services intended for use by Twirwaneho combatants.³³⁰

³²⁶ Shikama and Gakondo sources, community sources in Minembwe, Uvira, Bukavu, Baraka and Goma.

³²⁷ Ibid.

³²⁸ Ibid.

³²⁹ Shikama Uvira, humanitarian sources and community sources in Minembwe, Uvira, Baraka, Bukavu and Goma.

³³⁰ Community sources in Minembwe, Uvira, Baraka, Bukavu and Goma, and interview with a detained Shikama Uvira member.

Information provided in the financial statement covering the period from January to June 2023 (see below):³³¹

IBYAGUZWE	AMAFARANGA
IBYOKURYA	\$2,087
IBISHIMBO	\$4,473
AMAHUZU	\$3,213
IBITAR0/IMITI	\$11,150
COMINICATION	\$1,750
INKONI	\$3,500
UMUTEKANO	\$4,050
MISSION ZAKAZI	\$1,900
ABATURAGE BAKARERE	\$2,500
ISUKARI	\$6,000

Information provided in the financial statement covering the period from July to November 2023 (see below):³³²

ICHAGUZWE	MONTANT
UMUTEKO	\$11,345
IMBUTO KUBAHINZI	\$15,124
KUVUZA ABAGWAYI	\$10,200
AMATA YABANA	\$6,900

Translation and interpretation of the codewords provided in the two financial statements (see below):

ORIGINAL	Translation	Purpose
COMINICATION	Military communication equipment and fees.	Military
MISSION ZAKAZI	Intelligence missions in the DRC, Rwanda and Burundi	Military
INKONI	Literally “sticks”, defines weapons.	Military
IBITAR0/IMITI	Hospital / Medicines	Mixed civilian and military
ABATURAGE BAKARERE	Support to displaced population	Humanitarian
IBYOKURYA	Food	Mixed civilian and military
AMAHUZU	Literally “jobs”, defines military fatigues, uniforms	Military
ISUKARI	Sugar ³³³	Humanitarian
UMUTEKANO	Money paid to the FARDC not to attack the Twirwaneho	Military
IBISHIMBO	Literally “beans”, defines ammunitions	Military

³³¹ The information has been reproduced by the Group in order to protect the sources.

³³² The information has been reproduced by the Group in order to protect the sources.

³³³ Sugar has a separate entry from food because of its traditional importance in the Banyamulenge society.

ORIGINAL	Translation	Purpose
UMUTEKO	Similar to Umutekano above	Military
MBUTO KUBAHINZI	Food for farmers	Mixed civilian and military
KUVUZA ABAGWAYI	Treatment of patients (similar to Ibitaro / Imiti above)	Mixed civilian and military
AMATA YABANA	Infant milk	Humanitarian

Annex 112 (para. 205)**Extract from the speech of President Paul Kagame****Extrait d'un discours du Président Paul Kagame**

During the swearing-in of new Ministers of the Government of Rwanda on 30 November 2022, President Paul Kagame made the following statement (see below). The [video](#) was last accessed by the Group on 22 April 2024.

« Some people come from Congo, whether they smuggle or go through the right channel, they bring minerals but most of it goes through here but does not stay here. It goes to Dubai, to Brussels, to Tel Aviv ... »

Annex 113 (para. 206)

Operation against gold smuggling in Bukavu

Opération contre la fraude aurifère à Bukavu

On 1 May 2023, the DRC security services arrested several government officials and economic actors in Bukavu on suspicion of gold smuggling or fraud. The Group consulted a confidential document prepared in advance of the operation, which identified 30 Indian and DRC nationals. Some worked for the Audisha, Socreat, Namukaya, Kivu Com or Wanainchi *comptoirs*. Others worked for the DRC Customs office, the governor of South Kivu province, or the FARDC.

Several sources reported to the Group that this anti-gold smuggling operation, which was coordinated by the DRC military intelligence services based in Kinshasa, was primarily aimed at targeting the *comptoirs* that facilitated gold smuggling from Bukavu to Rwanda.³³⁴

On 5 May 2023, the DRC authorities presented 25 individuals to the press and announced that they had seized 4 safes, 15 computers, 41 telephones, 26 kg of gold, \$406,000 in cash and more than 6 million Congolese francs in cash. Five individuals (3 Indians and 2 Congolese) who reportedly had been warned in advance of the operation were not arrested.³³⁵

On 10 January 2024, the Military Court in Kinshasa convicted all 25 individuals for having violated Law no 22/068 of 22 December 2022 regarding the fight against money-laundering, the financing of terrorism and the proliferation of weapons of mass destruction. According to the DRC military justice, by facilitating gold smuggling to Rwanda, all convicted individuals had also enabled Rwanda to buy weapons for M23.

At the time of drafting, all 25 convicted individuals had appealed the judgement.

³³⁴ Bukavu-based mining administration and intelligence.

³³⁵ Ibid and economic actors.

Annex 114 (para. 215)**Risk regarding Primera Gold DRC supply chain in Shabunda****Risque associé à la chaîne d’approvisionnement de Primera Gold DRC à Shabunda**

Most of the gold that entered Primera’s supply chain originated from Shabunda territory, South Kivu. Primera DRC reported to the Group that between January and March 2024, the company purchased gold from 87 mining sites in total, including 56 based in Shabunda territory. Some 348.92 kg of this gold came from the mining sites in Shabunda territory and represented more than half of the total purchase.

The risk of contamination of the chain was exacerbated by the weak presence of DRC state services, in particular the Mining Police and SAEMAPE, at production sites in Shabunda territory.

In addition, the system of *négociants* sending illegal agents, also called *remiseurs*, to the sites in Shabunda to purchase gold resulted in challenges to trace the exact origin of the purchased gold. Still, this gold purchased in Shabunda territory was sold by the *négociants* to Primera’s buyers.

Primera DRC reported to the Group that it only purchased gold from validated mining sites and from *négociants* recognized by the national mining administration. The company also said that it had 11 local focal points who regularly monitored all the risks including the role of *remiseurs* associated with its supply chain.

Annex 115 (para. 216)

Primera Gold DRC Exports (May 2023 – March 2024)

Exportations de Primera GOLD DRC (mai 2023 - mars 2024)

Month and year	Export (Kg)
May 2023	549,08
June 2023	623,07
July 2023	574,23
August 2023	596,7
September 2023	626,23
October 2023	545,73
November 2023	371,37
December 2023	380,35
January 2024	248,64
February 2024	237,15
March 2024	164,28

Table by the Group based on information provided by Primera