

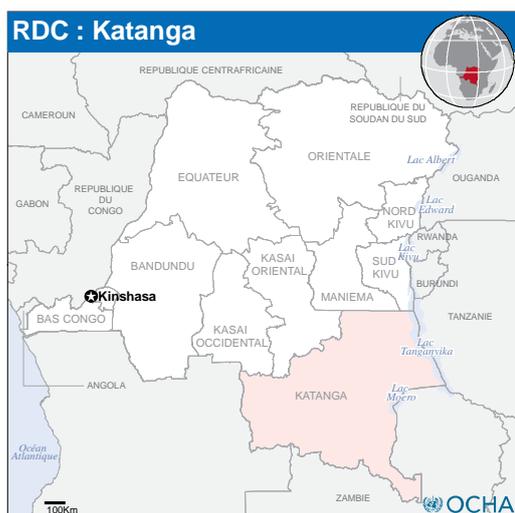


Credit : MONUSCO/ Myriam Asmani

## **VIOLENCE, DISPLACEMENT AND HUMANITARIAN ACTION IN KATANGA** *A report on the protection of civilians in the south-eastern DR Congo province of Katanga*

A report produced by the Katanga protection cluster with the support of OCHA  
May 2015

## Introduction



In April 2013, the Office for the Coordination of Humanitarian Affairs and organisations specialised in protection issues sounded the alarm on Katanga, especially on the « Triangle of Death » — the Territories of Manono, Pweto and Mitwaba — where a climate of terror is raging. What is the situation some 12 months later? Has the protection gap been addressed? Have internal displacements decreased, resulting in more returns? Is the « Triangle of Death » still unstable or has it become a « haven of peace »?

From October 2013 to mid-January 2014, over 1 000 homes and huts in more than 70 villages were burnt down in the territories of Manono, Mitwaba and Pweto — «the Triangle of Death»; tens of people were killed, their property looted and their fields torched, destroying an essential part of their livelihoods. Humanitarian actors speak of the « scorched earth » policy. During recent months, the « Triangle » saw the birth of dozens of new Mayi-Mayi<sup>1</sup> movements, adding to the human rights violations of the well-known secessionist movement, *Bakata Katanga* which means « separate Katanga », and the Mayi-Mayi Gédéon group, called after renowned warlord Gédéon

Kyungu Mutanga.

Beside this « first triangle », the Territory of Malemba Nkulu which forms a « second triangle » with Manono- Mitwaba, has also become the theatre of Mayi-Mayi atrocities. These combatants, who for the majority hail from northern Katanga, have gradually extended their campaigns of terror southwards, down to the Kambove and Kipushi territories, and engulfing the capital Lubumbashi<sup>2</sup>.

[The events of 31 December 2013 in Lubumbashi](#) are but one manifestation of the descent into chaos of this province which until recently harboured high hopes for a long-awaited transition from stabilisation to sustainable development. The recent deterioration of the security situation in Katanga was set off by the escape of Gédéon which caused serious havoc in Northern Katanga from 2002-2007- from the high security prison of Kasapa in Lubumbashi in September 2011, on the eve of the Presidential Elections. His escape, which triggered a second phase of conflict, enabled this former warlord to reorganize around the villages of the « Triangle » and to force the majority of inhabitants, among them children, to join his ranks or flee.

The limited capacity and presence of the Armed Forces of the Democratic Republic of Congo (FARDC) is a serious Achilles' tendon, preventing it from assuring the security of the population. Moreover, many FARDC elements themselves stand accused of committing serious human rights violations against the very people they are supposed to protect; often based on the perceived or real support of civilians to Gédéon.

The people of Katanga -also known as the economic powerhouse of the DRC because of its vast mineral resources which provide a large part of the national budget- deserve to be given more political and security attention in order to reverse the current spiral of violence causing tensions among communities, prolonging a humanitarian crisis and undermining any prospect of socio-economic development.

### At least 2,000 protection cases in 2013

2013 has been a dark year for Katanga, with nearly 2 000 reported protection incidents: rapes, murders, summary executions, kidnappings, extortions of properties, robberies and looting, the torching of homes and forced recruitment of minors<sup>3</sup>. Needless to say that this is far from an exhaustive picture, as several hundred of other cases surely went undocumented.

All belligerent parties are guilty of committing these human rights violations: the mushroomed plethora of Mayi Mayi groups; FARDC rank and file soldiers and commanders, Congolese policemen (PNC) and opportunistic armed bandits. In danger of being accused and attacked for any supposed collaboration with the numerous armed protagonists, civilians largely bear the brunt of violence, further aggravated by increasing community tensions.

<sup>1</sup> The **Mayi Mayi**, is a term generally describing active armed groups during the [second war of Congo](#) in the Democratic Republic of Congo. Most of these groups formed to resist the invasion of the armed forces of Rwanda and other rebel groups. These groups are led by warlords, traditional tribal chiefs, village chiefs and local political leaders. Most of the Mayi Mayi are active in the provinces of [North Kivu](#) and [South Kivu](#) and Katanga.

<sup>2</sup>In March 2013, a group of combatants arrived at Lubumbashi, and attacked the Head Quarter of the MONUSCO. Dozens of people died in this attack.

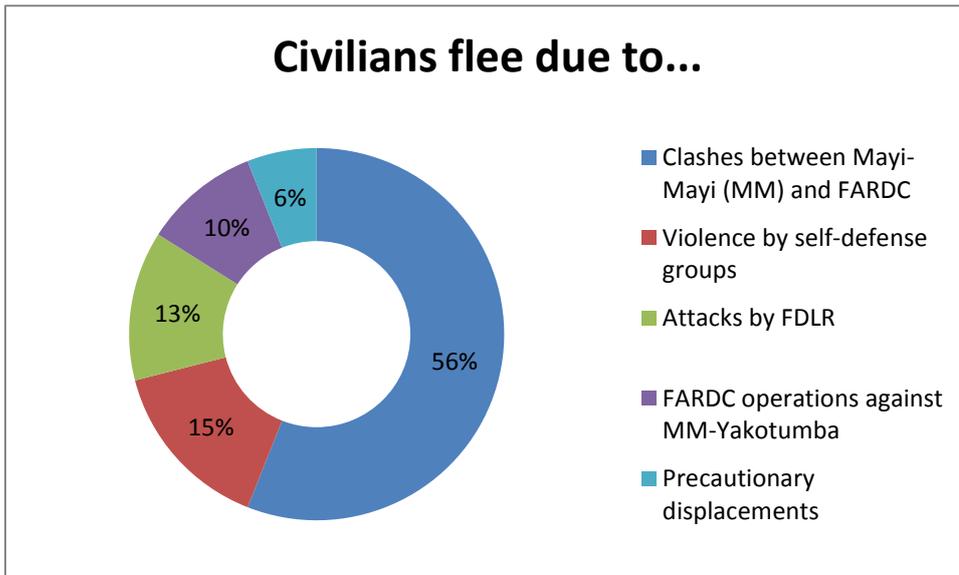
<sup>3</sup> Information provided by the Protection Cluster of Katanga and the « Protection of Children » workgroup

**A constant human zig-zag**

Since March 2011, Katanga is the province with the highest relative progression of internally displaced persons, from 50,000 up to 500,000 at the end of March 2014<sup>4</sup>. The number of newly displaced people since January 2014 is estimated at over 100 000<sup>5</sup>. The most affected territories are: Pweto (36, 6%), Kalemie (14, 7%), Malemba Nkulu (11, 8%) and Manono (11, 3%).

Insecurity and armed fighting make up the main causes of internal displacements, while a closer look reveals the following facts with regard to the nature of these causes:

- 56% clashes between the Mayi-Mayi and FARDC ;
- 15% violence generated by self-defence groups ;
- 13% attacks by the Democratic Liberation Forces of Rwanda (FDLR).
- 10% operations by the FARDC against the Mayi Mayi Yakotumba who make frequent incursions from South Kivu
- 6% precautionary relocations

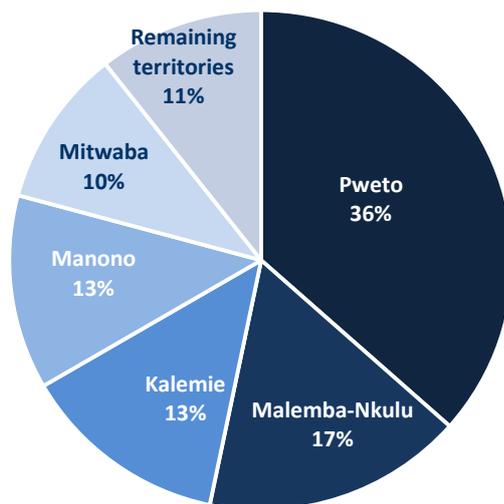


Like the other provinces in the east of the country, 85% of the displaced people stay with host families, the remaining 15% live in informal settlements or occupy public infrastructure such as markets, schools and churches.

Amid these continuous forced displacements, the return of people is always a positive sign. In the last 18 months, over 217,000 persons returned home. However it is paradoxical that Mitwaba is the territory with the highest

number of returned persons.

**Distribution of displaced people by territories (October 2010 to March 2014)**



<sup>4</sup>Data collected by the Population Movement Commission (CMP) and validated by the Provincial Inter Agency Committee (CPIA) of Katanga

<sup>5</sup>This figure follows the various inter cluster missions organised between January and February 2014 in Manono, Mitwaba and Pweto by OCHA and some partners in Katanga

## Almost 1,000 minors released from armed groups<sup>6</sup>...



Image: [hdptcar](#) via Flickr

Since 2011, thousands of children – boys and girls — have been recruited by armed groups. In 2012, the United Nations Children’s Fund (UNICEF) and its partners managed to release 189 children from armed groups in Katanga. In 2013, this figure increased fivefold, up to 937 children (185 girls and 752 boys) in the territories of Malemba Nkulu, Moba and the « Triangle of Death». Child protection specialists contend that this practice goes on, and that the figures provided are only the visible part of the iceberg.

To deal with the newly released minors and give them a chance to reintegrate into society, UNICEF established 12 transit and orientation centres (CTO) in 2013 in some territories; worked with 47 host families – in Lubumbashi and Pweto— specifically trained for this and so far reunited 598 children with their families.

To further child protection “child friendly Spaces<sup>7</sup> were also opened in 2013 for over 6,200 children between 5 and 17 years. These facilities receive vulnerable children affected by the conflict and offer them a place where they can be what they are: children who play, learn and have hope in life.

Unfortunately this exit movement has been decreasing since October 2013 due to the lack of a DDR mechanism. A current obstacle remains the wider and long-term reintegration of these children into their communities and society at large, with satisfactory livelihoods that prevent them from re-recruitment by armed groups.

### ...And thousands of cases of sexual violence

In 2013, over 5,100 incidents of gender based violence were registered throughout the province, with the same six territories in the vanguard: Kalemie, Malemba Nkulu, Manono, Mitwaba, Moba, and Pweto. According to the Provincial Division of Gender, this number almost tripled from the number of incidents reported in 2012 (1 650 incidents of SGBV). Out of this figure, more than 75% are rapes, with children under-18<sup>8</sup> making up half of the victims. Those who suffer from sexual and gender based violence are notably displaced persons -70 %-, followed by host populations 17%-, and returnees -13%- . Out of all the districts of Katanga, by far the greatest number of cases was reported in the health District of Lubumbashi, i.e. over 3 600 cases. This does not mean that Lubumbashi is the zone most affected by sexual violence in the province. According to specialists, the concentration of SGBV actors in Lubumbashi and working data collection systems in place for the coordination could partly explain this state of affairs.

According to protection actors, the suspected perpetrators were:

42% civilians
34% Mayi Mayi and other armed groups
16% FARDC and the PNC
8% armed bandits

Out of this number, 2 171 women, i.e. 45% of the survivors of sexual violence, received medical care. The reasons for this low rate are numerous, including the stigma associated with rape and other traditional influences; the lack of medicine or medical structures and trained medical personnel.

### The FARDC: Can do better

According to international conventions, the Congolese government has the primary responsibility for the protection of its nationals and all those living on Congolese territory. This function is carried out by on a number of state structures such as the FARDC, the Congolese army. However, the army is regularly cited, perceived as a source of instability and human rights violations, not only in Katanga but also throughout the whole volatile eastern part of the country. National and international organisations specialising in human rights and protection of civilians, including the UN mission, have regularly raised that

<sup>6</sup> Update of activities carried out in 2013 by the « Protection of children » workgroup, UNICEF and partners/Katanga in January 2014

<sup>7</sup> The « Child Friendly Space » offer the children essential health services in emergency situations. But they also represent stability in a chaotic universe enabling them to pursue their education, receive psychosocial support and play with other children. This aims at providing care to young children, promoting their growth, organising consultations on informal education and offering leisure activities to school-age children.

<sup>8</sup> Protection Monitoring System (PMS), HCR, 2013

perception. This means that the FARDC do not have real legitimacy to protect civilians. This illegitimacy is added to the logistic and structural issues facing the FARDC.

While the FARDC have had minimal success in some of the operations launched against armed groups since mid-October 2013, the territories are never fully liberated. Part of the answer is in the military component. The FARDC do not have the means necessary to hold liberated territories and the restoration of State authority in many cases does not follow on these victories. Sometimes, the « liberators » quickly revert and become the oppressors and perpetrators of human right violations (extortions of properties, forced labour, robbery, looting...) that push civilians to flee.

In addition to reinforced tracking efforts and an increased determination to eliminate armed groups, it is essential to ensure FARDC presence throughout the whole province. Without this effective and sustained presence, armed groups form up again, form alliances and resuscitate, often more violently, to « punish » the populations they accuse of conniving with the army. There is a dual and simultaneous work to do and maintain: to arrest and judge the soldiers accused of violence against civilians, and to train them so that they understand and integrate the mechanisms, legal frameworks and other existing tools for the protection of civilians.

Congolese authorities, via the FARDC, are doing their best but it can be said that this «best » is falls largely short of the needs of the populations. For the past years the Civil-Military Department of the FARDC Commandment<sup>9</sup> in collaboration with other international actors (EUSEC) have been training a number of FARDC officers in the respect of human rights, international humanitarian law and principles of the protection of civilians, a way for officers to re-establish confidence between civilians and uniformed troops. The object of this training is to facilitate the interaction between civilians and soldiers, mainly in areas affected by conflicts; to support military operations and ensure the integration of the necessary operational measures the FARDC must adopt to guarantee the protection of civilians.

### **MONUSCO: Great expectations**

UN presence in DR Congo



Concerning MONUSCO, thousands of Katanga civilians put their hope in the mission that has a very broad protection mandate, including improving security conditions in areas where humanitarian organisations operate and help displaced people to return home. However, this mandate<sup>10</sup> is far from being achieved in the « triangle of death » and in other areas affected by this crisis.

Katanga has for a long time been underserved in terms of blue helmets, , so the mission was re-floated at the beginning of March with the deployment of 70 soldiers in the Pweto Territory, raising current troop level to 520, to support FARDC operations launched in the last quarter of 2013 in the « Triangle of death » against the Mayi Mayi elements. These intervention units<sup>11</sup> will be gradually deployed at Kasama (90 km north west of Pweto) and Mutabi (70 km south east of Pweto) as well as to other high risk areas, in particular the northern part of Pweto which remains out of the control of state authorities. Humanitarian action is still limited or non-existent in this zone because serious access restrictions to vulnerable people due to insecurity. MONUSCO states that during these operations measures are taken systematically to protect civilians. While this increase in the number of peace soldiers is welcome, it must also be

emphasized that it falls short of expectations. Katanga, the second largest province of the country, saw blue helmet deployments reduced in 2010 from 750 to 450. The special UN Representative, Martin Kobler, has been giving encouraging

<sup>9</sup> This training is part of the action Programme jointly elaborated and signed by the Ministry of national Defence and the Veterans (MDNAC), of the DRC and the EUSEC/RD Congo Mission in November 2012. This action programme supports the implementation of the Army Reform Plan (PRA) as defined by the Congolese authorities.

<sup>10</sup> In 2000, the UN Security Council gave MONUC the mandate to maintain robust peacekeeping based on Chapter VII of the UN Charter that explicitly states the protection of civilians and UN/ humanitarian personnel. Ever since, the importance and number of MONUSCO personnel have been increasing, the protection of civilians being always at the centre of its mandate.

<sup>11</sup> In the light of the recurring waves of conflicts in the eastern part of the DRC threatening the stability and the development of the whole country and of the Great Lake region, the Security Council decided, in its resolution 2098, to create a specialised « intervention brigade » for an initial period of one year and within the limits of MONUSCO maximum authorised staff of 19 815 men. It comprises three infantry battalions, an artillery company, a special force and a reconnaissance company, and will be placed under the direct commandment of the commandant of the MONUSCO force, that has the responsibility to neutralise armed groups and to the objective to reduce the threat of armed groups for the authority of the State and the security of civilians in the east of the DRC and to prepare the ground for stabilisation activities.

signals since the beginning of 2014 by going there, but it remains to turn these signals into concrete and tangible actions that will truly ameliorate the daily life of civilians.

However, it is imperative to insist that protection and security in the DRC are the responsibility of the Congolese authorities, and that they must, like MONUSCO, urgently consider increasing FARDC numbers throughout the province, and not only in the capital.

**520**

Number of « Blue Helmets » deployed in Katanga

### **Civilians protect themselves**

As the figures clearly show, civilians often constitute their own protection safety. The majority of displaced people are safer with a benefactor or a member of the family than in a place or camp for displaced people. Civilians have adopted solutions and methods that are far from perfect. Even if this enables them to survive, it must be noted that this strategy is not a sustainable solution. In the IDP camp management programmes, humanitarians establish, for instance, camp security committees made up of camp residents –. Their role is to provide early warning; to ensure their own safety; to monitor protection incidents; and to ensure their rights are respected through referral to the national police of cases that warrant follow-up.

Protection specialists in Katanga estimate that at least US\$ 7 million needs to be mobilized to cover the multiple protection interventions necessary in Katanga in 2014. This amount will make it possible, among others, to protect children, protect women against sexual violence, take care of fistulas and ensure the sustainable reintegration of children saved from armed groups.<sup>12</sup>

### **The complex equation of disarmament, demobilisation and reintegration**

The Disarmament, Demobilisation and Reintegration Programme remains a difficult equation faced with various difficulties. Since June 2013, a surrender movement of armed groups has started in Katanga. Between June and December 2013, over 1 100 Mayi Mayi combatants and their dependants (706 in Mitwaba and 410 in Manono) officially surrendered to the Congolese army, according to MONUSCO ; these surrenders took place after several awareness campaigns were conducted by the authorities targeting these combatants. Yet, this figure is a very small fraction of the total number of combatants, of all tendencies, that should join the process. This process had also allowed many displaced persons to return to their villages of origin, notably to Mitwaba.

To consolidate peace, restore the authority of the State in the affected territories, motivate the massive surrender of militiamen and help displaced people to go back to their areas of origin, protection experts recommend two actions in the short term:

- *Urge the Congolese government to release the necessary funds from the National DDR Programme to implement formal DDR Structures at Kasokota, Mukulubwe, and Manono. For the protection actors of Katanga, this request would contribute to looking for sustainable solutions to the surrendering process of the Mayi Mayi in Katanga.*
- *Ask for the revision of DDR criteria in order to take into account the particular situation of Katanga and of the Mayi-Mayi who surrender without firearms. Current criteria give a list of categories of weapons that are not the ones possessed by the Mayi Mayi combatants that have surrendered (arrows, bows, spears...).*

Thus, since October 2013, the lack of a proper Disarmament, Demobilization and Reinsertion (DDR) Programme in the province has led certain Mayi Mayi groups to refuse to demobilize, and even go back to the bush

## **HUMANITARIAN FUNDINGS AND CAPACITY**

### **Humanitarian access**

**700 kilometers**

Length of the detour from Lubumbashi to Pweto via Zambia because of insecurity

The insecurity brought about by armed groups makes access difficult for protection agents and humanitarian actors alike and in some cases, a stressed working relation with local authorities or armed groups. In August 2013, Mayi Mayi combatants assassinated a member of a local organization at his home in Kanwankolo, a village located 15km south of Pweto. He was accused of being in collusion with the FARDC. A month later, agents from the same organization were received death threats by the Mayi Mayi.

In February 2014, agents of an international organization were threatened at Shamwana, in Manono Territory by Mayi Mayi elements who shot in the air and damaged their vehicle. In March 2014, another four incidents against humanitarians were

<sup>12</sup>Gaps identified by the Protection Cluster of Katanga with its different work groups, in March 2014

reported in the Manono and Nyunzu territories. These actors were physically attacked by armed men and their belongings were requisitioned. Unfortunately, these kinds of incidents against humanitarians stand far from alone, in the province. Humanitarian aid workers are often prevented to freely exercise their mission, either by the FARDC, PNC, or by armed groups.

Difficult physical access —extremely bad road conditions — in Katanga also hampers humanitarian response and lead to serious delays in response times and skyrocketing logistical costs. During the rainy season, there are frequent landslides, floods, and quagmires. Humanitarian convoys are often forced to make a detour, sometimes through neighbouring Zambia, which considerably lengthens the itinerary and slows down humanitarian aid operations.

This has a negative effect on humanitarian aid. Furthermore, lack of physical access literally leads to completely isolated enclaves. As such, protection specialists reported that several localities - including the Bukama, Malemba Nkulu, Manono (Shamwana – Mpiana) and Mitwaba Territories remained forgotten- due to this inaccessibility for substantial amounts of time in 2013.

**Funding**



In 2013, close to US\$ 12 million were allotted to Katanga by the jointly UNICEF-OCHA managed Common Humanitarian Fund (also called Pooled Fund) through regular allocations and the Reserve Fund. Other bilateral donors from their side directly funded some UN agencies and organizations. These funds made it possible to provide aid in practically all sectors.

Nevertheless, humanitarian workers continue to strive tirelessly for greater mobilization for Katanga and especially reflect on a way to accompany some humanitarian interventions with *long-term response mechanisms (transition towards development)*.

**Humanitarian Presence in Katanga (December 2013)**

**Actors' capacities**

The limited presence of humanitarian partners able to respond in time to a crisis in Katanga constitutes a real handicap. Katanga counts only around fifty really active organizations. Several territories affected by the crisis have no protection actors presence at all. The rare territories that have them are served by local NGOs. It is imperative that more humanitarian actors must be attracted to the province to cover the diversity of humanitarian needs. Donors could play an important role by encouraging new actors and specific earmarking modalities.

**Types of organisations**



**AN OMINOUS FUTURE**



The mine-rich province needs to regain its peace and stability. Credit: OCHA/ G. Cortes

Since January 2014, over 100 000 persons have been newly displaced throughout the province. Presently, over 500,000 persons have lost their homes, their livelihood, and children do not attend school anymore. At the beginning of April, over 100 villages were burnt down and some 40 attacks were registered. These horrendous actions have been going on for months, which do not bode well for the months to come.

In 2013, the DRC Protection group listed several recommendations to the Government of the DRC, MONUSCO, donors and humanitarian actors so that each one at their level could strive to improve the living conditions of civilians.

One year later, the advice given to the Government has fallen upon « deaf ears ». Apart from the interaction between the humanitarian community and the Governor, no action has been implemented to improve the

protection of civilians living in Katanga. In the present situation, insecurity has reached unprecedented heights and the Mayi Mayi continue to create havoc and terror regardless.

Although military operations are launched here and there to crush these combatants, the armed forces hardly respect their obligations and standards in terms of protection when planning and conducting their operations. Thus, according to testimonies, civilians have become targets of sustained atrocities at the hands of FARDC soldiers.

As for MONUSCO, there is certain willingness on the Mission part. The deployment of Blue Helmets in the Pweto Territory at the beginning of March 2014, is a first step, but it is greatly insufficient in terms of protection needs. Obviously there is no question of deploying a Blue Helmet behind each civilian in Katanga, but the UN mission must envisage in the coming weeks increasing its staff to truly deter armed groups. The protection actors have notably asked for an active presence in the « Triangle of death ». In response, MONUSCO declared that deployments will proceed in the Mitwaba and Manono territories, if necessary.

MONUSCO more carefully monitoring the FARDC's behaviour and sends all documented misconduct cases to the military Prosecutor; if need be, it will also give its support to military justice processes to ensure aid and justice to victims. Mobile courts are established, police officers are trained to fight against impunity and the judiciary (civil and military) is assisted to become more efficient. In accordance with the latest UN Security Council Resolution on the DRC, the Mission is also collaborating with the Government to re-launch the Disarmament, Demobilization and Reintegration Programmes for the Mayi-Mayi fighters. Within this framework a DDR office has been opened in Katanga to bring to fruition the DDR efforts made so far.

In a difficult financial context marked by high profile crises such as Syria, Central African Republic, and the recent degradation of the situation in the Republic of South Sudan, Katanga is facing « serious competition » to attract more international attention.

Katanga has become a humanitarian powder keg to which the response is slow to implement, thus enabling armed groups to continue their terror campaigns. Katanga is also a regression of which no actor — whether humanitarian, Congolese or foreigner — can be proud of. With Katanga, the eastern part of the DRC is not a place to live if you are a civilian. The people of Katanga are not asking much: just a little more attention from the Congolese State and the international community in order to restore peace.

*Report produced by the Katanga protection cluster with the support of OCHA*

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