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Focus on North Kivu Province: IDPs on the move face grave human rights violations

At least 250,000 people have left their homes or places of displacement in North Kivu since the end of August 2008, following large-scale fighting between the forces of rebel leader Laurent Nkunda and the Congolese army and other armed groups.

People have had to be constantly on the move, and many families have been separated, due to the heavy fighting, but also looting, destruction of homes and camps, killings, looting and rapes. As a result, at least one million people are displaced in North Kivu, and 1.4 million in DRC as a whole. Humanitarian agencies are struggling to respond to the emergency needs of these IDPs and other vulnerable people in a situation of limited access and difficult security.

The following update focuses on people displaced in North Kivu, particularly since the end of August 2008. For information on IDPs in the rest of DRC, please see the overview of 30 September 2008, “Escalating displacement in North Kivu despite ceasefire agreement”.

Latest political developments

At the end of August 2008, large-scale fighting broke out between government troops and the National Congress for the Defence of the People (*Congrès national pour la défense du peuple*, or CNDP) following the CNDP's suspension of its participation in a tenuous peace process. The conflict escalated further in October, as CNDP troops continued their advance towards the North Kivu provincial capital Goma, while the national army, comprised of ill-equipped and often unpaid soldiers, more or less disintegrated. Many government soldiers then went on a looting spree, as CNDP forces made further advances. The head of CNDP, Laurent Nkunda, said he would topple the national government of President Joseph Kabila if the latter continued to avoid direct negotiations (BBC News, 10 November 2008).

Since the end of October a flurry of diplomatic activities to solve the current crisis has led to meetings of the UN Security Council, the nomination by the UN Secretary-General of former Nigerian President Olusegun Obasanjo as his Special Envoy for the DRC, a meeting chaired by the UN Secretary-General between African and other international leaders in Nairobi, and the visit to eastern DRC of senior US and European politicians. In mid-November, Obasanjo held separate meetings with Kabila and Nkunda. Nkunda agreed to Obasanjo's three requests: to respect a ceasefire, open a humanitarian corridor to enable aid to reach the displaced, and support UN-sponsored peace negotiations in the Kenyan capital Nairobi.

Aside from the CNDP, the main armed groups active in North Kivu are Mai Mai groups presenting themselves as symbols of Congolese resistance, and the Democratic Forces for the Liberation of Rwanda (*Forces Démocratiques de Libération du Rwanda*, or FDLR). While a powerful core group of the FDLR consists of Hutus involved in the 1994 Rwandan genocide, the large majority were only children at the time. Generally, the Congolese army reportedly tends to cooperate with the Mai Mai and the FDLR in the fight against the CNDP.

Meanwhile the CNDP, which claims to serve the interests of the Tutsi minority in North Kivu, has among its aims the end of the FDLR presence in DRC, and the return of Congolese refugees abroad. It has set up a parallel administrative structure in CNDP-controlled territories, particularly in Masisi and Rutshuru territories. In September 2007 close to one million people paid taxes to this administration (IPIS, 4 March 2008).

With the escalation of the conflict in October and November 2008, the CNDP took the control of several additional localities. Following Nkunda's meeting with Special Envoy Obasanjo, his troops started pulling back southwards from territory they had taken more than 100 kilometres north of Goma, but they maintained strategic positions just 15 km north of Goma, near the town of Kibati (Reuters, 19 November 2008). There have also unconfirmed reports of the presence in North Kivu of Rwandan and Angolan fighters (DPI, 18 November 2008).

In January 2008, the DRC government signed a ceasefire agreement in Goma

with 22 armed groups, including the CNDP and Mai Mai local militia groups operating in North and South Kivu (Act of Engagement, 23 January 2008). But the ceasefire was never respected in practice and the agreement fell to pieces a few months later. The governments of the DRC and Rwanda addressed the issue of the FDLR in a separate agreement signed in Nairobi in November 2007, but the FDLR has since continued its activities in the province.

Some 4,500 peacekeepers of the 17,000-strong United Nations Mission in the Democratic Republic of Congo (*Mission des Nations Unies en République Démocratique du Congo*, or MONUC) are in North Kivu, including in areas controlled by the CNDP. While MONUC has the right to use of force for the protection of civilians under Chapter VII of the UN Charter, the peacekeeping force has not been able to stop looting and violence by members of the army during the fighting in late October. MONUC's mandate is up for renewal at the end of the year and to help avert an escalation of the crisis, the UN Secretary-General has asked the UN Security Council to approve the deployment of 3,000 more troops and police (UNSC, 31 October 2008). Meanwhile, the European Union has debated deploying troops to establish security or to support MONUC's operations, without any final decision at the time of writing.

Causes of displacement and areas of refuge

At least 250,000 people are estimated to have left their homes or places of displacement since the end of August 2008, 100,000 of them in a single week at the end of October (UNICEF, 3 November

2008). There are now around one million IDPs in North Kivu, which brings the total of IDPs in DRC to an estimated 1.4 million. These figures are estimates at best, as most IDPs cannot be registered, and many are constantly on the move.

While the majority of IDPs in North Kivu stay with relatives and friends, tens of thousands have also found refuge in some 70 spontaneous IDP sites and 16 IDP camps managed by international NGOs under the coordination of the UN Office of the High Commissioner for Refugees (UNHCR), as communities have been increasingly unable to cope with the influx of people. An estimated 120,000 people now live in camps around Goma. IDPs have also found refuge in churches and schools. Most of those who fled the recent fighting left without any belongings, and countless families have been separated during the displacement process. Many of them left IDP camps in the area of Rutshuru and Kiwanja, following the looting and destruction of the camps. Spontaneous sites are generally unsafe and badly structured, and are usually located in insecure areas where displaced women and children are extremely vulnerable to abuses including rape and forced recruitment.

Protection needs

The protection of displaced people and other civilians in North Kivu is an urgent concern. The Congolese army, as well as armed militias and in particular the CNDP, Mai Mai militias and the FDLR, continue to commit human rights violations and abuses, including killing, rape, sexual exploitation, abduction, forcible conscription of children, looting, plundering of crops, illegal taxation and general

harassment of civilians. IDPs in North Kivu have been victims of grave human rights abuses by all the factions engaged in fighting and by other civilians, with the number of cases increasing sharply since October. In early November the UN peacekeepers found the bodies of a dozen civilians who had been shot dead in a village which had been occupied by the CNDP (Reuters, 6 November 2008).

Major violations in camps around Goma has been increasingly reported, including numerous killings and death threats, particularly by demobilised fighters, as well as abduction and rape inside and outside the camps. A particularly grave problem is the presence of soldiers and armed militias in IDP camps or in areas where IDPs are concentrated. IDPs who found refuge in camps in Kibati north of Goma are very close to the fighting between the CNDP and the Congolese forces, and are constantly at risk of being killed by crossfire. In mid-November, UNHCR announced that it would relocate some 60,000 IDPs from Kibati to a camp further from the frontline to facilitate their security and assistance (UNHCR, 14 November 2008). According to an assessment carried out by the Norwegian Refugee Council in the camp, 60 percent of interviewees mentioned relocation to another camp as their preferred solution to improve their security (NRC, 18 November 2008).

According to UNICEF, over 1,000 women and girls are raped per month in eastern DRC (UNICEF, 24 June 2008). Already before the latest violence, a third of reported cases were in North Kivu, the majority of them among internally displaced women (UNSC, 3 July 2008). These reports are likely to represent only

the tip of the iceberg, with many survivors of sexual violence ashamed or unable to come forward to seek help. Sexual violence against men and boys is also believed to be prevalent in North and South Kivu, but is rarely reported by the victims (Oxfam, September 2008).

Before the latest surge in fighting, at least 3,000 displaced and other children were estimated to be in armed forces and groups in eastern DRC (MONUC, 24 July 2008). Forced recruitment of children and adults continued in North Kivu as of November 2008, and entire schools were reported to be targeted (Save the Children Alliance, 18 November 2008). UNICEF reported that displaced children in North Kivu, particularly those separated from their families, are at particular risk of being recruited, but also of being raped and exploited (UNICEF, 14 November 2008).

Assistance needs

Most IDPs in North Kivu lack access to basic infrastructure (health centres, schools and roads), potable water, food, seeds, tools, clothes and straw to build houses. Malnutrition rates rose in North Kivu in 2008, as IDPs have lacked access to assistance and to their fields due to ongoing fighting. Many missed planting and harvesting seasons. In one hard-hit area east of Rutshuru, the number of children under the age of five suffering from malnutrition increased ten-fold (WVI, 18 November 2008). Cholera epidemics broke out in 2008 in IDP camps around Goma and areas hosting many IDPs, and spread to camps in Masisi and other areas in November 2008, due to the lack of hygiene awareness and sanitation facilities.

Government and international responses

Measures by the central government and North Kivu authorities have so far achieved very little to meet the needs of IDPs, despite the obligations of the government to protect its displaced populations. The government has ratified the Pact on Security, Stability and Development in Africa's Great Lakes region, which came into force in June 2008, and under which it is obliged to incorporate the Guiding Principles on Internal Displacement into national law. The Pact includes Protocols on the Protection and Assistance to IDPs and on the Property Rights of Returning Populations (IDMC/IRRI, 18 September 2008; International Conference on the Great Lakes Region, 15 December 2006).

Humanitarian access is significantly restricted in North Kivu, due to ongoing clashes between armed groups and related attacks on civilians by members of the army and militias, as well as the harassment of humanitarian workers. While international agencies have been struggling to attend to the needs of the newly displaced including those in camps, they have faced even more difficulty in accessing those who have found refuge with relatives and friends or taken refuge in churches, open spaces and schools. Despite Nkunda's promises to open relief corridors for aid convoys, few organisations have ventured into the worst-affected areas, leaving tens of thousands of people with little food, shelter or medical help (IRIN, 12 November 2008). For example, the area of Kanyabayonga, a town repeatedly looted by Congolese soldiers, has been the scene of fighting between Congolese soldiers and Mai Mai

militias who defended the local population against the looting. IDPs were relying as of mid-November on the generosity of the local population, as no humanitarian agency was operating in the area due to insecurity. Poor roads and heavy downpours of the rainy season have presented additional obstacles.

Many international NGOs and all major UN agencies are present in Goma and coordinate their assistance to IDPs through various clusters. Many organisations have asked for additional funds to respond to the needs of the newly displaced, but in the meantime combined efforts to alleviate the suffering of IDPs remain inadequate. The World Food Programme (WFP) announced in mid-November that it was increasing food distributions in order to reach nearly 100,000 IDPs around Goma and in territory further north controlled by the CNDP (WFP, 18 November 2008). Over the last year, WFP has been struggling to supply food to the massive influx of IDPs in a context of global price rises, funding limitations and breakdown of distribution channels. With the DRC crisis in the media spotlight, it remains to be seen whether IDPs will receive the support they need at this critical time.

Note: This update only focuses on people displaced by conflict in North Kivu province since August 2008. To read the September 2008 update on internal displacement across DRC please click [here](#).

Sources:

BBC News, 10 November 2008, Talk or go, DR Congo rebel warns

DRC, 23 January 2008, Acte d'Engagement

Integrated Regional Information Networks (IRIN), 12 November 2008, DRC: Agencies cannot reach IDPs trapped by fighting

Internal Displacement Monitoring Centre (IDMC) and International Refugee Rights Initiative (IRRI), 19 September 2008, The Great Lakes Pact and the rights of displaced people

International Peace Information Service (IPIS), 4 March 2008, Mapping conflict motives: eastern DRC. Steven Spittaels & Filip Hildert

Norwegian Refugee Council (NRC), 18 November 2008, Rapport intermédiaire d'enquête ménages dans le site de Kibati 1

Oxfam, September 2008, In harm's way: the ongoing protection crisis in eastern DRC

Reuters, 19 November 2008, Congo rebel pullback raises hopes for peace talks

Reuters AlertNet, 7 November 2008, At least 20 civilians killed in North Kivu clashes

Save the Children Alliance, 18 November 2008, Schoolchildren seized as armed groups in DRC recruit child soldiers

United Nations Children's Fund (UNICEF), 14 November 2008, Children abducted by armed groups in eastern DR Congo

United Nations Children's Fund (UNICEF), 24 June 2008, As DR Congo crisis persists, UN classifies rape as weapon of war

United Nations Department of Public Information (UN DPI), 18 November 2008, Vidéo conférence de presse d'Alan Doss, Représentant spécial du Secrétaire général pour la République démocratique du Congo

United Nations High Commissioner for Refugees (UNHCR), 14 November 2008, DRC: Transfer of displaced from Kibati camps to begin next week

United Nations Security Council (UN SC), 3 July 2008, Twenty-sixth report of the Secretary-General on the United Nations Organization Mission in the Democratic Republic of the Congo (S/2008/433)

United Nations Security Council (UN SC), 31 October 2008, DR Congo: Letter dated 31 Oct 2008 from the Secretary-General to the President of the Security Council (S/2008/703)

UN Organization Mission in the Democratic Republic of Congo (MONUC), 24 July 2008, France and UNICEF sign an agreement to support children associated with armed groups in the DRC

World Food Programme (WFP), 18 November 2008, WFP Operational Update - Eastern Congo, 18 Nov 2008

World Vision, 18 November 2008, Child malnutrition soaring in eastern DR Congo, warns World Vision

About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at www.internal-displacement.org.

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