

Committee on the Rights of the Child
Office of the High Commissioner for Human Rights
Palais Wilson, 52 Rue des Pâquis
1201 – Geneva – CH

April 06, 2016

Re: Pre-Sessional review of the Democratic Republic of Congo

Dear Members of the Committee on the Rights of the Child,

We write in advance of your upcoming pre-sessional review of the Democratic Republic of Congo government's compliance with the Convention on the Rights of the Child.

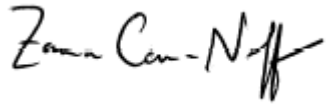
This submission relates to Articles 6, 19, 28, 29, 34, 35, 37, and 38 of the Convention of the Rights of the Child. It proposes issues and questions that Committee members may wish to raise with the government while reviewing its compliance with these articles.

Evidence included in this submission is based in part on Human Rights Watch's research in the course of a report on the use of schools for child recruitment and other military purposes. This research included interviews with more than 120 people, including 19 children ages 10 to 17, conducted between June and July 2013, and additional research by Human Rights Watch in the region since then. It covers incidents that occurred between April 2012 and December 2014 in North and South Kivu provinces in eastern Democratic Republic of Congo. Human Rights Watch documented attacks on schools or the use of schools for military purposes between 2012 and 2014 by the Congolese army, the M23 armed group, various Congolese Hutu militia groups known as the Nyatura, Mai Mai Sheka and other Mai Mai groups, and the Democratic Forces for the Liberation of Rwanda (Forces Démocratiques pour la Libération de Rwanda, FDLR). Further information can be found in Human Rights Watch's report, "[Our School Became the Battlefield: Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo.](#)"

It is also based in part on interviews with 107 witnesses, family members of victims, and police officers who participated in a police campaign in the capital Kinshasa known as "Operation Likofi," and on other interviews with government officials and others during the period for review.

Thank you for your attention to our concerns, and with best wishes for a productive pre-session.

Sincerely,

A handwritten signature in black ink that reads "Zama Coursen-Neff". The signature is written in a cursive style with a large initial "Z" and a long, sweeping underline.

Zama Coursen-Neff
Director
Children's Rights Division

Background

Armed conflict continued in eastern Congo from 2012 through 2015 with the Congolese army and various armed groups responsible for numerous serious abuses against civilians. Attacks on schools and their use for military purposes by fighters rose sharply in early 2012, when the Congolese army opened a military campaign against the M23 rebel group in eastern Congo. The 19-month rebellion ended in November 2013, after the Congolese army and United Nations forces defeated the M23. However, the M23's defeat did not bring about the end of hostilities in North and South Kivu, as many other armed groups have continued to operate in these provinces.¹

Killing and maiming of children

Articles 6 and 37

In the first several months of 2015, Batwa fighters known as “Perci,” armed with bows and arrows and machetes, brutally attacked Luba in southern Nyunzu and northern Manono territories, in the former Katanga province in southeastern Congo, killing and kidnapping civilians and burning entire villages. After news of these attacks reached the town of Nyunzu, Luba fighters organized an attack on the Batwa in the Vumilia 1 camp. The assailants burned the camp to the ground and killed at least 30 people including children from the Batwa community with machetes, arrows, and axes. Dozens of others are missing and feared dead. The Luba fighters, known as “Elements,” were armed with machetes, axes, and bows and arrows, wore amulets and other witchcraft symbols, and allegedly cut off the genitals of some victims.

Between May and July 2015, Human Rights Watch interviewed more than 60 victims of abuses, witnesses, aid workers, rights activists, local and provincial authorities, army, police, and intelligence officers, and UN peacekeepers, about the attacks.

Human Rights Watch urges the Committee to ask the government of the Democratic Republic of Congo:

- What actions has the government taken to improve civilian protection as well as investigate and prosecute all those responsible for the Batwa/Luba atrocities?

¹ Human Rights Watch, *Democratic Republic of Congo—Our School Became the Battlefield: Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo*, October 2015, <https://www.hrw.org/report/2015/10/27/our-school-became-battlefield/using-schools-child-recruitment-and-military#2baoc1>, p. 10.

Attacks on schools

Articles 28, 29, and 38

Attacks on schools place children at risk of injury or death and affect students' ability to obtain an education, a fundamental right under international human rights law and Congolese law.² Attacks on schools, teachers, and students can cause children to drop out or attend school less often, force schools to limit their hours, and destroy school buildings and materials. Furthermore, in environments of violence and fear, the quality of children's education is severely diminished.

Human Rights Watch has documented numerous cases where armed groups have attacked schools, students, and teachers; looted schools; and abducted and recruited children from school grounds, or while students are on their way to or from school in eastern Congo.³ According to United Nations documentation and Human Rights Watch research, between 2012 and 2014, the M23, the Democratic Forces for the Liberation of Rwanda (Forces démocratiques pour la libération du Rwanda, FDLR), Nyatura groups, Mai Mai Sheka, the Allied Democratic Forces (ADF), the People's Alliance for a Free and Sovereign Congo (Alliance du peuple pour un Congo libre et souverain, APCLS), Mai Mai Yakutumba, Mai Mai La Fontaine, the Front for Patriotic Resistance in Ituri (FRPI), and the Union of Congolese Patriots for Peace (Union des patriotes congolais pour la paix, UPCP) committed such abuses in eastern Congo.⁴ In addition, many children and parents told Human Rights Watch that fear of being abducted or raped deterred students from attending school.⁵

² Constitution of the Democratic Republic of Congo, art 43, International Covenant on Economic, Social, and Cultural Rights (ICESCR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force January 3, 1976, art. 13; Convention on the Rights of the Child (CRC), adopted November 20, 1989, G.A. Res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 5, U.N. Doc A/54/49 (Vol.1) (2000), entered into force December 22, 2000, art. 28.

³ Human Rights Watch, *Democratic Republic of Congo-Our School Became the Battlefield: Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo*, October 2015, <https://www.hrw.org/report/2015/10/27/our-school-became-battlefield/using-schools-child-recruitment-and-military#2ba0c1>, pp. 16 – 26.

⁴ Human Rights Watch, *Democratic Republic of Congo-Our School Became the Battlefield: Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo*, October 2015, <https://www.hrw.org/report/2015/10/27/our-school-became-battlefield/using-schools-child-recruitment-and-military#2ba0c1>, pp. 16 – 26; Report of the Secretary-General, Children and Armed Conflict, S/2014/339, May 15, 2014, para. 65; Report of the Secretary-General, Children and Armed Conflict, S/2015/409, June 5, 2015, para. 63.

⁵ Human Rights Watch, *Democratic Republic of Congo-Our School Became the Battlefield: Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo*, October 2015, <https://www.hrw.org/report/2015/10/27/our-school-became-battlefield/using-schools-child-recruitment-and-military#2ba0c1>, p. 16.

Military use of schools

Articles 28, 29, and 38

The use of schools for military purposes puts students and teachers unnecessarily at risk, and disrupts children's ability to attend class. Students must either stay at home and interrupt their education, or study alongside armed fighters while potentially in the line of fire. Since the extended use of a school by armed forces or armed groups affects children's ability to attend classes in an environment conducive to learning, this poses a threat to their right to education as guaranteed under international human rights law and the Congolese constitution.⁶

Even brief use of schools can render schools essentially inoperative. In addition to disrupting the right of children to education, troops occupying schools expose students and teachers to risks such as unlawful recruitment, forced labor, beatings, and sexual violence. Furthermore, fear of sexual violence often causes girls to drop out of school.⁷

The presence of troops inside schools can lead to children being forcibly excluded from school, or to students avoiding school due to concerns about their own safety. Deterioration of a school's physical structure and a loss of education materials have also hurt students' studies. Given the dire state of many Congolese school buildings, even moderate damage can render them completely unusable. In a country that already suffers from inadequate opportunities for quality education, damage to schools due to military use further hampers students' educational prospects and their futures.

Human Rights Watch documented schools being used for military purposes by the Congolese army, the M23, the FDLR, Nyatura groups, and the Raia Mutomboki.⁸ Sometimes schools were used multiple times by different groups. Several school officials told Human Rights Watch that the Congolese army and different non-state

⁶ Constitution of the Democratic Republic of Congo, art 43, International Covenant on Economic, Social, and Cultural Rights (ICESCR), adopted December 16, 1966, G.A. Res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 49, U.N. Doc. A/6316 (1966), 993 U.N.T.S. 3, entered into force January 3, 1976, art. 13; Convention on the Rights of the Child (CRC), adopted November 20, 1989, G.A. Res. 44/25, annex, 44 U.N. GAOR Supp. (No. 49) at 5, U.N. Doc A/54/49 (Vol.1) (2000), entered into force December 22, 2000, art. 28.

⁷ Human Rights Watch, *Democratic Republic of Congo-Our School Became the Battlefield: Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo*, October 2015, <https://www.hrw.org/report/2015/10/27/our-school-became-battlefield/using-schools-child-recruitment-and-military#2baoc1>, p. 33.

⁸ Human Rights Watch, *Democratic Republic of Congo-Our School Became the Battlefield: Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo*, October 2015, <https://www.hrw.org/report/2015/10/27/our-school-became-battlefield/using-schools-child-recruitment-and-military#2baoc1>, p. 27.

armed groups used their schools successively.⁹ Data from the United Nations Children’s Fund (UNICEF) and reports by Congolese nongovernmental organizations suggest that scores of schools in eastern Congo were occupied by more than one armed force in 2012 and 2013.¹⁰

The use of schools for military purposes, along with looting, are the most frequently reported disruption caused by troops against schools in eastern Congo.¹¹ Government soldiers and members of armed groups have used schools as military bases and as temporary accommodation, and looted them for firewood and other resources. In some cases, government forces and armed groups took over a few classrooms or the playground and some classes tried to continue. In other situations, fighters converted an entire school into a military base, barracks, training grounds, or weapons and ammunition storage. This meant children could not attend school. In most cases documented by Human Rights Watch, school occupations lasted from two nights to a week or slightly more, although use for many months was also documented. Even brief military use left schools unfit for educational use without major rehabilitation.¹² Schools have also been used for forced recruitment.

The military use of schools also deteriorates, damages, and destroys already insufficient and poor-quality education infrastructure, equipment, and teaching materials. Human Rights Watch spoke with school officials who reported that fighters burned the buildings’ wooden walls, desks, chairs, and used documents and books for cooking and heating fuel. In some cases, tin roofs and other materials were also taken to be sold for soldiers’ personal gain.¹³

⁹ Ibid.

¹⁰ Data provided by UNICEF, July 2013, reviewed by Human Rights Watch.

¹¹ For example, according to the UN, during the period January 2010-December 2013, at least 180 schools were directly affected by the armed conflict. Of this, 47 schools were destroyed, 82 were looted, and 51 schools were used for military purposes. Report of the Secretary-General on children and armed conflict in the Democratic Republic of the Congo, S/2014/453, June 30, 2014. A research team from Columbia University Mailman School of Public Health and Rebuild Hope for Africa collected testimony of 238 incidents of a wide variety of violations including extortion, rape, abduction, “though occupation and looting were by far the most common,” during the period of December 25, 2012, and July 31, 2014. Of the 22 schools selected by a convenience sample for a site visit to verify the incidences, 10 schools had experienced looting, 5 had been occupied, and 8 had been occupied and looted. Of the additional 7 incidents the team documented while carrying out the verification, 3 were of looting, 2 were of military occupation. Columbia University Mailman School of Public Health and Rebuild Hope for Africa, “Monitoring and Reporting Attacks on Education in South Kivu Province, DRC,” 2013.

¹² Human Rights Watch, *Democratic Republic of Congo-Our School Became the Battlefield: Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo*, October 2015, <https://www.hrw.org/report/2015/10/27/our-school-became-battlefield/using-schools-child-recruitment-and-military#2baoc1>, p. 26.

¹³ Human Rights Watch, *Democratic Republic of Congo-Our School Became the Battlefield: Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo*, October 2015, <https://www.hrw.org/report/2015/10/27/our-school-became-battlefield/using-schools-child-recruitment-and-military#2baoc1>, pp. 34 – 36.

Furthermore, the use of a school for military purposes can result in additional damage to the building because it may render the school a legitimate target for enemy attack. In some cases, Human Rights Watch documented instances where schools had been targeted. This resulted in damage to education infrastructure and thus impinged further on students' studies. Even once vacated, schools may still be a dangerous environment for children if troops leave behind weapons and unused munitions. Human Rights Watch observed the removal of munitions from school grounds and children playing near them.¹⁴

Human Rights Watch documented the use of schools for extortion and illegal "tax" collection. Illegal taxation constitutes an important source of revenue for armed groups and is generally imposed on all of the population. In some areas under the control of armed groups, fighters used schools to collect illegal "taxes" or to ensure that students had paid such taxes. The targeting of schools and teachers at school to enforce the tax leads to additional safety issues at schools and interferes with children's education. Human Rights Watch documented cases where children stopped attending school due to threats over unpaid "tax" and where school activities were suspended for several days as teachers could not pay an informal tax.¹⁵

Legal framework

Congo's constitution guarantees that everyone has the right to education, and that primary education—which lasts six years and is aimed at 6 to 11 year olds—is both free and compulsory in public schools.¹⁶ The 2009 Child Protection Law also guarantees the right to education¹⁷ and sets out that parents and the state have an obligation to ensure a child's "survival, education, protection, and fulfilment" as an element of a child's right to life.¹⁸ The Congolese state also guarantees under the Child Protection Law, "the protection, education, and care" of children affected by armed conflict, civil unrest, or tensions.¹⁹ The right to education is also a fundamental guarantee under

¹⁴ Human Rights Watch, *Democratic Republic of Congo-Our School Became the Battlefield: Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo*, October 2015, <https://www.hrw.org/report/2015/10/27/our-school-became-battlefield/using-schools-child-recruitment-and-military#2ba0c1>, pp. 36 – 37.

¹⁵ Human Rights Watch, *Democratic Republic of Congo-Our School Became the Battlefield: Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo*, October 2015, <https://www.hrw.org/report/2015/10/27/our-school-became-battlefield/using-schools-child-recruitment-and-military#2ba0c1>, p. 39.

¹⁶ Constitution of the Democratic Republic of Congo, 2005, art. 43.

¹⁷ *Ibid.*, art. 38.

¹⁸ Loi n° 09/001 du 10 janvier 2009 portant protection de l'enfant, <http://www.ilo.org/dyn/natlex/docs/SERIAL/84828/94647/F1949034568/Protection%20de%20l'enfant%202.pdf> (accessed September 18, 2015) art. 13.

¹⁹ *Ibid.*, art. 72

Protocol II to the Geneva Conventions, applicable during non-international armed conflicts.²⁰

In contrast with these provisions in the law, the proportion of 5 to 17 year olds who are out of school (that is, have either never enrolled in school or who have dropped out) is estimated at 29 percent, according to a 2012 survey by Congo's Ministry of Primary, Secondary, and Vocational Education. For 6 to 11 year olds—children who should be in compulsory primary education—27 percent are out of school. Girls account for more than half of those not enrolled.²¹

North Kivu has the nation's highest proportion of 5 to 17 year olds out of school, at 44 percent, with 40 percent of primary-school-age children out of school. South Kivu is the fifth worst affected region, with 30 percent of 5 to 17 year olds out of school, and 27 percent of primary-school-age children, according to the same 2012 study.²²

On October 4, 2012, the Congolese government adopted an action plan for the prevention of recruitment and use of children, sexual violence, and other grave violations against children by the national armed forces and other state security forces. In July 2014, the government appointed Jeannine Mabunda Lioko Mudiayi as a presidential adviser on conflict-related sexual violence and child recruitment. The government has worked with UN child protection agencies to remove child soldiers from the army and to prevent integration of children from armed groups into the army.²³

In early 2013, Vice Prime Minister and then-Minister of Defense Alexandre Luba Ntambo issued a ministerial directive to the army stating that all military personnel found guilty of requisitioning schools for military purposes would face severe criminal and disciplinary sanctions.²⁴ However, Human Rights Watch has not found any existing Congolese legislation or military doctrine that explicitly prohibits or regulates the practice of military use of schools, or makes it a criminal offense. The director of the army's civic and patriotic education unit told Human Rights Watch that all soldiers are

²⁰ Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Additional Protocol II), 1125 U.N.T.S. 609, entered into force December 7, 1978, art. 4(3)(a).

²¹ Ministry of Primary, Secondary and Vocational Education and the Higher Institute for Population Sciences of the University of Ouagadougou, "National Survey on the situation of out-of-school children and adolescents," ("Survey on Out-of-School Children"), February 2013, <http://www.alnap.org/resource/13019> (accessed September 17, 2015), p. 32.

²² *Ibid.*, p. 9.

²³ Human Rights Watch, *Democratic Republic of Congo—Our School Became the Battlefield: Using Schools for Child Recruitment and Military Purposes in Eastern Democratic Republic of Congo*, October 2015, <https://www.hrw.org/report/2015/10/27/our-school-became-battlefield/using-schools-child-recruitment-and-military#2ba0c1>, p. 16.

²⁴ Ministerial Directive on the implementation of the Action Plan, Ministry of Defense, Disarmament and Veterans, N° VPM/MDNAC/CAB/0909/2013, May 3, 2013.

trained on the need to protect children and schools. However, the need to avoid attacks on schools, students, and teachers is not specifically mentioned in the army's Code of Conduct.²⁵ Nor has the government joined the 2015 Safe Schools Declaration, which endorses the Guidelines on Protecting Schools and Universities from Military Use.²⁶

Human Rights Watch urges the Committee to ask the government of the Democratic Republic of Congo:

- How many schools, universities, or education facilities have been damaged or destroyed as a result of attacks by a) state security forces and b) non-state armed groups in each year of the reporting period, and since?
- What action has the government taken to prevent attacks on schools and universities and to mitigate their impact when they do occur?
- How many schools, universities, or education facilities have been fully or partially occupied or used by a) government security forces and b) non-state armed groups in each year of the reporting period, and since?
- What action has the government taken to deter military use of schools in response to the concerns expressed by the UN Security Council in Resolution 2143 (2014) and 2225 (2015)?

Human Rights Watch urges the government of the Democratic Republic of Congo to:

- Impartially investigate and appropriately prosecute Congolese army officers and armed group commanders responsible for recruiting or abducting children and other violations of international human rights and humanitarian law, including unlawful attacks on schools, students, and teachers.
- In accordance with UN Security Council Resolution 2225, take concrete measures to deter the military use of schools. Enact legislation prohibiting Congolese armed forces and non-state armed groups from using or occupying schools, school grounds, or other education facilities in a way that violates international humanitarian law, including the obligation to take all feasible precautions to protect civilians against the effects of attacks.

²⁵ Human Rights Watch interview with Col. Mbumbu Ya Mutoko Camille, commander of the army's Civic and Patriotic Service (Service d'Education Civique et Patriotique) unit, Kinshasa, September 3, 2014.

²⁶ Safe Schools Declaration, http://www.protectingeducation.org/sites/default/files/documents/safe_schools_declaration-final.pdf (accessed March 17, 2016); Guidelines for Protecting Schools and Universities from Military Use During Armed Conflict, http://protectingeducation.org/sites/default/files/documents/guidelines_en.pdf (accessed March 17, 2016).

- Ensure that students deprived of educational facilities as a result of armed conflict are promptly given access to accessible alternative schools, including with suitable school equipment, while their own schools are repaired or reconstructed.
- Ensure that teachers and students, and women and girls generally, who experience rape and sexual violence receive trauma support and ongoing counseling, as well as immediate access to treatment for injuries, emergency contraception, safe and legal abortion services, and access to sexual and reproductive health and psychosocial support. Develop a plan to assist children born from rape to ensure adequate services and protection for them and their mothers.
- Endorse the 2015 Safe Schools Declaration,²⁷ thereby committing to implement the Guidelines for Protecting Schools and Universities from Military Use during Armed Conflict.²⁸

Abductions/Disappearances

Article 35

Congolese police, under the direction of General Celestin Kanyama, summarily killed at least 51 youth and forcibly disappeared 33 others during an anti-crime campaign, “Operation Likofi,” which lasted from November 2013 to February 2014. Human Rights Watch documented how uniformed police, often wearing masks, dragged *kuluna*, or suspected gang members, from their homes at night and executed them. The police shot and killed the unarmed young men and boys outside their homes, in the open markets where they slept or worked, and in nearby fields or empty lots. Many others were taken without warrants to unknown locations and forcibly disappeared.²⁹

Human Rights Watch urges the Committee to ask the government of the Democratic Republic of Congo:

- What is the status of the government’s report on Operation Likofi, and why has it not yet been made public?

²⁷ Safe Schools Declaration, http://www.protectingeducation.org/sites/default/files/documents/safe_schools_declaration_final.pdf (accessed March 17, 2016).

²⁸ Guidelines for Protecting Schools and Universities from Military Use During Armed Conflict, http://protectingeducation.org/sites/default/files/documents/guidelines_en.pdf (accessed March 17, 2016).

²⁹ “DR Congo: Police Operation Kills 51 Young Men and Boys: Suspend Commander of Anti-Crime Campaign Pending Investigation,” Human Rights Watch news release, 18 November, 2014, <https://www.hrw.org/news/2014/11/18/dr-congo-police-operation-kills-51-young-men-and-boys>.

- What actions have been taken to investigate and prosecute those responsible for the summary executions and enforced disappearances during Operation Likofi, and if no action has been taken, why not?
- What measures have been taken to protect street children and other vulnerable young children and young adults?

Human Rights Watch urges the government of the Democratic Republic of Congo to:

- Ensure that all children under 18 in detention who are suspected kuluna and credibly charged with a criminal offense receive a trial before a competent, independent and impartial child court, in accordance with Congo's 2009 child protection law and the Convention on the Rights of the Child. Release those in custody who have not promptly and credibly been charged with a criminal offense and those under Congo's age of criminal responsibility, which is 14. Children found responsible for a crime should only be incarcerated as a last resort and for the shortest appropriate period of time, and be separated from adults.
- Investigate and prosecute as appropriate, in fair and credible trials, those police officers responsible for extrajudicial executions, enforced disappearances, and arbitrary arrests of suspected kuluna as part of Operation Likofi, including officials who may bear command responsibility.
- Support programs that provide education, shelter, skills training, sports, and cultural activities for street children and other vulnerable children and young adults in Kinshasa as part of a broader effort to decrease criminal activities by kuluna.
- Take appropriate legal action against politicians and their supporters who provide weapons or bribe youth in Kinshasa to disrupt their opponents' activities.
- Assign the Ministry of Gender, Family, and Children as a focal point to promote the protection of street children and other vulnerable children and young adults and to monitor law enforcement practices related to street children;
- Investigate and appropriately prosecute cases of police violence against street children;
- Encourage the Ministry of Youth, Sports, Culture, and Arts to organize recreational activities and other pastimes for street children and other vulnerable children and young adults.

Kidnappings

Article 35

Human Rights Watch found that at least 175 people were kidnapped for ransom during 2015 in eastern Congo's North Kivu province. Former and current members of armed groups appear responsible for many of the kidnappings. The vast majority of the cases documented by Human Rights Watch were in Rutshuru territory. Nearly all hostages were released after relatives or employers paid ransom. The vast majority of abductees were men, but Human Rights Watch documented one case involving a 4-year-old girl and another case involving a 17 year old boy. Human Rights Watch also heard eye-witness testimony from one other witness who observed children among hostages.

Human Rights Watch interviewed 45 former hostages and witnesses in North Kivu between May and December. They said that the kidnappers typically operate in groups of up to a dozen or more people, and are often heavily armed with Kalashnikovs and other military assault weapons. Many wear military clothes and appear to belong, or to have belonged, to one of the many armed groups active in eastern Congo.

The kidnappers often followed a similar procedure, beating, whipping, or threatening their hostages with death, demanding that they call their relatives or employers to press them to pay for the person's release. The kidnappers often used the victims' cell phones or their own to negotiate the ransom payments. Sometimes the kidnappers abducted a single hostage, in other cases, a group.

In the cases Human Rights Watch documented, kidnappers demanded between US\$200 and US\$30,000 per hostage, though the amounts paid were often much lower than the amount sought, according to relatives and former hostages. In most of the cases Human Rights Watch documented, relatives of the hostages did not inform police or other authorities about the kidnapping, either because they believed they would get no assistance or because they feared that it might make matters worse and that they would face further extortion from the authorities for any assistance provided.

Human Rights Watch urges the government of the Democratic Republic of Congo to:

- Create a special police unit to address the threat of kidnapping.

Child Soldiers

Articles 35, 38 (and Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict)

Recruitment of child soldiers by more than two dozen armed groups as well as the Congolese army continues to be of concern. The Democratic Republic of Congo remains on the United States State Department list of countries using child soldiers.³⁰ The Congolese army has long recruited children, sometimes forcibly, for use as fighters, porters, and escorts.³¹ While the numbers of child soldiers recruited by the Congolese army has significantly decreased – with only two cases of recruitment documented by the United Nations in 2014 – numerous armed groups continue to recruit and use child soldiers and the state still needs to fully implement its plan to end use of child soldiers. Furthermore, some army officers have supported armed groups that use large numbers of child soldiers.³²

Human Rights Watch urges the Committee to ask the government of the Democratic Republic of Congo:

- What measures are being taken to fully implement the October 2012 action plan for the prevention of recruitment and use of children, sexual violence and other grave violations against children by the national armed forces and other state security forces?
- How many cases of use of child soldiers have been documented since January 1, 2012?

Human Rights Watch urges the government of the Democratic Republic of Congo to:

- Impartially investigate and appropriately prosecute Congolese army officers and armed group commanders responsible for recruiting or abducting children.
- Fully implement the national plan to end use of child soldiers.

³⁰ “Dispatches: Obama Still Arms Governments Using Child Soldiers,” Human Rights Watch dispatch, October 1, 2015, <https://www.hrw.org/news/2015/10/01/dispatches-obama-still-arms-governments-using-child-soldiers>.

³¹ Jo Becker, “U.S. Must Enforce Ban on Child Soldiers,” June 28, 2012, <https://www.hrw.org/news/2012/06/28/us-must-enforce-ban-child-soldiers>.

³² “Dispatches: Obama Still Arms Governments Using Child Soldiers,” Human Rights Watch dispatch, October 1, 2015, <https://www.hrw.org/news/2015/10/01/dispatches-obama-still-arms-governments-using-child-soldiers>.

Sexual Violence

Articles 19, 34, 38

Sexual violence continues to be of grave concern, particularly within the context of armed conflict. In the first nine months of 2014 alone, the United Nations Population Fund (UNFPA) documented 11,769 cases of sexual and gender-based violence in North Kivu, South Kivu, Orientale, Katanga and Maniema provinces; 39 per cent of these cases were considered to be directly conflict-related.

Human Rights Watch urges the government of the Democratic Republic of Congo to:

- Draft a national criminal policy on prosecutions of grave international crimes that highlights objectives and priority needs in this field, and details the government's own contribution to strengthen accountability, including sexual violence.
- Create a specialized investigation cell of military investigators and prosecutors with specialized training in the investigation and prosecution of grave international crimes, including gender-based crimes and sexual violence, to be deployed in provinces where these crimes are most often adjudicated.
- Ensure that women and girls, who experience rape and sexual violence receive trauma support and ongoing counselling, as well as immediate access to treatment for injuries, emergency contraception, safe and legal abortion services, and access to sexual and reproductive health and psychosocial support.
- Develop a plan to assist children born from rape to ensure adequate services and protection for them and their mothers.
- Investigate and prosecute, where guilty, those responsible for the sexual abuse of girls.

Annex

Human Rights Watch would like to offer the Committee this additional information, which was published after our initial submission.

DR Congo: Children Held in Remote Military Prison *Former Child Soldiers Should be Rehabilitated, Released*

(Goma, April 4, 2016) – The Congolese military is unlawfully detaining at least 29 children in dire conditions in northwest Democratic Republic of Congo, Human Rights Watch said today. The authorities allege that the boys, ages 15 to 17, were members of a rebel armed group, and have held them in a military prison in Angenga since apprehending them in eastern Congo in the first half of 2015.

Human Rights Watch found during a visit to Angenga prison in December 2015, that neither the boys nor the adult men detained with them have been charged with crimes, or had access to lawyers or their families. Detainees who did not commit any criminal offense should be promptly released. Under international law, countries are obligated to recognize the special situation of children who have been recruited or used in armed conflict. Former child soldiers should be rehabilitated and reintegrated into society.

“Congolese authorities should immediately release the children and adults held at Angenga prison who have committed no crime and fairly charge the rest,” said Ida Sawyer, senior Africa researcher at Human Rights Watch. “Children who were rebel fighters should be rehabilitated, not thrown into prison and held there indefinitely.”

Human Rights Watch interviewed 52 detainees, including 29 children, and several prison officials at Angenga, as well as more than 40 Congolese military and government officials, United Nations officials, humanitarian workers, and others, between December 2015 and March 2016.

Detention conditions at Angenga are dismal, with inadequate food, clean water, and medical care. Children and adults remain together on the prison grounds during the day. The children had been detained in the same cells as the adults until prison officials transferred them to a separate block for sleeping at night in late February 2016.

“To get medicine, you have to wait for a response from God,” one prisoner said.

Between February and June 2015, Congolese security forces apprehended 262 men and boys of Congolese, Rwandan and Burundian nationality in North Kivu and South Kivu, and in the former Katanga province of eastern Congo. Those captured were accused of being members of the Democratic Forces for the Liberation of Rwanda (FDLR), a largely Rwandan Hutu armed group, some of whose leaders are believed to have taken part in the 1994 Rwandan genocide.

The majority of FDLR fighters today are unlikely to have played any role in the genocide because they were too young. A considerable number of FDLR fighters are Congolese recruits.

The military transferred the suspected fighters to the city of Goma and flew them to the Angenga military prison, in northwestern Congo's former Equateur province (currently Mongala province), between May and August 2015. Since December, more than 60 additional suspected FDLR fighters have been transferred to Angenga. At least four of the prisoners have died from illnesses since arriving at Angenga. Two others were shot dead on February 26, 2016 outside the prison grounds. Prison authorities allege that the two men had attempted to escape.

Most of those interviewed, including 17 of the children, said they were civilians and had no affiliation with the FDLR. Others said they were former FDLR fighters who had demobilized months or years ago and had reintegrated into civilian life. Several Rwandan Hutu refugees said the authorities arrested them on the pretext that they had to register with national and international refugee agencies in Congo. Some said they were told that they needed to leave a military operational zone for their own safety, but when they arrived at the so-called "safe" village with their families, they were arrested and accused of belonging to the FDLR. Human Rights Watch could not verify individual claims.

"The local authorities came to tell us that we needed to register with the CNR [National Commission for Refugees]," a 16-year-old Rwandan Hutu boy who lived in Fizi, South Kivu province, told Human Rights Watch. "But instead they led us to their military camp. The same day, eight others fell into the same trap, thinking they needed to register."

Another 16-year-old detainee who had been a child soldier with the FDLR said he had surrendered to the Congolese army so he could return to civilian life through the country's demobilization program. Instead, he was arrested and sent to Angenga.

Eight other children who had been child soldiers with the FDLR said they surrendered to the UN peacekeeping mission in Congo (MONUSCO) in North Kivu's Rutshuru and Masisi territories. The children said the peacekeepers later handed them over to the Congolese army. MONUSCO asserts that seven of them had originally declared themselves to be adults and that the eighth boy did not pass through MONUSCO. MONUSCO also said that peacekeepers handed two other FDLR child soldiers – who originally declared themselves to be adults – over to the Congolese army, which then sent them to Angenga. MONUSCO said they wrongly assumed that the army would be sending former combatants to a reintegration camp instead of to prison.

Different divisions of MONUSCO, as well as nongovernmental organizations, the Congolese army, and prison authorities, gave purported children significantly disparate ages, warranting a thorough review of existing policies, Human Rights Watch said.

A senior MONUSCO official was informed of the transfers to Angenga prison, which included children, at least by October 2015 in a meeting with a humanitarian organization. The UN Group of Experts on Congo also reported on the detainees in Angenga in October.

Five months after learning about the possible detention of children, MONUSCO sent a mission to investigate. During the three-day joint mission in March 2016, MONUSCO and Congolese army officials together conducted cursory interviews with 94 alleged children, based on lists they had received from prison authorities and a humanitarian organization. The officials concluded that 22 detainees were children.

Human Rights Watch believes that the number of children is most likely much higher and that the conditions under which the interviews were conducted and the limited time spent with each child hampered a thorough inquiry.

On March 28, a senior MONUSCO official said the mission was working with the Congolese government to transfer the children out of the prison but that no date had been set for the transfer.

Some of the FDLR fighters detained at Angenga may have been involved in war crimes or other offenses. But they, like the others, have not been charged or brought to trial. They include an FDLR officer, Séraphin Nzitonda, who faces a Congolese warrant for his alleged role in a mass rape.

“UN officials have been aware that children were being held at Angenga but waited for months before acting on this information,” Sawyer said. “Congolesse authorities need to work closely with MONUSCO to get the children out of the prison. Children shouldn’t be there, and given the dire conditions of the place, it seems no one should.”

Congolesse Military Operations Against the FDLR

The Congolesse security forces have carried out arrests in eastern Congo in the context of an ongoing military operation against the FDLR, known as “Sokola 2” (“clean-up” in Lingala and Swahili). The operation began in February 2015 after most FDLR fighters did not voluntarily disarm during a six-month grace period given to the group in the second half of 2014.

UN peacekeepers were closely involved in planning the military campaign and expected to join the operations, but they withdrew their support following the last-minute appointments of Gen. Bruno Mandevu as the army’s commander for the operation and Gen. Sikabwe Fall as the army’s regional commander for North Kivu province. The alleged involvement of Mandevu and Fall in past human rights violations prevented UN peacekeepers from providing any support to an operation in which they were involved, under the UN’s Human Rights Due Diligence Policy (HRDDP), MONUSCO officials said at the time. On January 28, 2016, the government and MONUSCO signed an agreement on the resumption of joint operations, but these have yet to begin.

On March 23, the Foreign Affairs Minister Raymond Tshibanda claimed that Sokola 2 operations had reduced the FDLR’s troop strength from 1,200 combatants to 108. This may be a significant exaggeration, given that those detained in Angenga are included in the calculations, since many of them may be civilians.

Angenga Detainees

In early December 2015, Human Rights Watch interviewed 45 of 262 alleged FDLR fighters detained at Angenga at that time. Twenty-five, including 17 children, said that they were civilians with no affiliation to the FDLR. Sixteen others, including 10 children, said they were former FDLR fighters who had demobilized months or years ago and had reintegrated into civilian life. Four prisoners, including two children, admitted that they were active FDLR fighters at the time of arrest. Human Rights Watch was not able to verify individual claims.

Since Human Rights Watch was able to interview only a portion of Angenga prisoners in the group of alleged FDLR combatants, it is believed that the number of detained children is most likely much higher.

MONUSCO confirmed Human Rights Watch’s findings that the Congolese army took at least nine FDLR combatants from a regroupment site for former FDLR combatants in Walungu, South Kivu province, which MONUSCO helps manage, and sent one of them to Angenga. The fighters had surrendered to MONUSCO during the six-month grace period given to FDLR combatants in 2014. According to MONUSCO, the Congolese army also removed FDLR combatants from the regroupment site in Kanyabayonga, North Kivu province.

MONUSCO officials involved in the management of the two sites told Human Rights Watch that they did not participate in the removals and did not know on what grounds the army made its decision on whom to remove. A senior MONUSCO official told Human Rights Watch on March 30, 2016 that the process “went badly” and that the mission later “sensitized the government not to do it again.”

In August 2015, 86 alleged FDLR combatants imprisoned in Angenga told the UN Group of Experts on Congo that they were civilians.

The UN Group of Experts reported in October that Col. Ringo Heshima, commander of the Congolese army’s 3303 Regiment at the time, had “invited all the Rwandan refugees from the area to a meeting in Kilembwe [South Kivu], at which point he had arrested them and sent them to Bukavu as FDLR ‘combatants.’” These civilians were later transferred to Angenga. Three detainees told Human Rights Watch that Colonel Heshima was involved in their arrest.

In an interview with Human Rights Watch on March 17, Colonel Heshima denied that children and civilians were among those arrested and transferred to Angenga. He asserted they were all FDLR fighters who had been “captured on the front lines.”

Rwandan Refugees in Congo

After the 1994 genocide in Rwanda, in which more than half a million people were killed as Hutu extremists set out to [destroy](#) the Tutsi minority, hundreds of thousands of Rwandans, most of them Hutu, fled *en masse* from the advancing troops of the Rwandan Patriotic Front (RPF) – the Tutsi-led rebel group which ended the genocide and is currently the ruling party in Rwanda.

Among the refugees who crossed into Congo were people who had participated in the genocide. They established control over some of the refugee camps, where they prepared to attack Rwanda and continued to propagate ethnic hatred of Tutsi.

In October 1996 – in what later became known as Congo's first war – the new Rwandan army formed by the RPF invaded Congo to destroy the refugee camps, killing tens of thousands of people. Refugees who did not return to Rwanda, including large numbers who had not been involved in the genocide, fled deep into the forests in Congo.

Today, tens of thousands of Rwandan refugees live in precarious conditions in eastern Congo with an uncertain legal status. Over the years, the Congolese army and Congolese armed groups have conflated the refugees with FDLR fighters and attacked them, even though many are not associated with the FDLR. In 2012, Raia Mutomboki fighters carried out some of the deadliest recent attacks on makeshift camps that were home to Rwandan Hutu refugees and dependents of FDLR combatants. Human Rights Watch confirmed the killings of at least 140 FDLR dependents and other Rwandan Hutu refugees during 14 attacks in Walikale territory. The majority of the victims were women and children, many of them hacked to death by machete or burned alive in their homes.

International Legal Standards and the UN

International law applicable in Congo prohibits non-state armed groups such as the FDLR from using children under 18 in their forces. Those taken into custody are due special protections. The Convention on the Rights of the Child, to which Congo is a party, requires governments to take “all feasible measures to ensure protection and care of children who are affected by an armed conflict,” and to take “all appropriate measures” to promote the physical and psychological recovery and social reintegration of children who have been victims of armed conflicts.

The Convention’s Optional Protocol on children in armed conflict, which Congo ratified in 2001, provides that governments “shall take all feasible measures to ensure that persons within their jurisdiction recruited or used in hostilities contrary to the present Protocol are demobilized or otherwise released from service,” and “shall, when necessary, accord to such persons all appropriate assistance for their physical and psychological recovery and their social reintegration.”

MONUSCO’s Disarmament, Demobilization, Repatriation, Reintegration, and Resettlement (DDRRR) unit is charged with repatriating foreign nationals who surrender from the FDLR and other foreign armed groups active in eastern Congo, in collaboration with Congolese authorities and in accordance with international law. MONUSCO’s child protection officers routinely screen combatants from armed groups who surrender to peacekeepers or to the Congolese government, or whom Congolese officials arrest, to

ensure that children are separated and properly protected.

Based on Human Rights Watch's interviews with MONUSCO officials, it appears that the internationally recognized "presumption of minority" standard – in which an individual's claim to be a child is recognized until proven otherwise – was not fully applied in Angenga. One senior official raised concerns about potential problems with the Congolese government if they freed people who turned out to be adults after all, and because of the logistical challenges of separating and reuniting additional detainees with their families.

Accounts From Children Detained at Angenga

A 15-year-old boy told Human Rights Watch:

I am Rwandan. I was born in Mwenga [South Kivu, Congo]. I was never with the FDLR. One day, I was on my way to the market to buy some things. On the way I ran into Congolese army soldiers, and they arrested me. It was April 7, 2015. They transferred me to Bukavu, then Goma and finally to Angenga. I don't know what they want from me. Maybe they just want to say they arrested FDLR. I don't know.

A Congolese Hutu boy, 16, said he was arrested in Nyamilima, Rutshuru territory, North Kivu in the first half of 2015:

During the M23 war [2012-2013], we fled to the Nyakivale [refugee] camp in Uganda. I later returned with my mother. One day, when we were in the fields, I climbed up a tree to look for a mango. My mother kept walking and left me behind in the field. When I climbed back down, [Congolese] soldiers grabbed me and accused me of being with the FDLR. After one week in the prison in Nyamilima, I was transferred to Goma and then here [Angenga].

A 16-year-old boy said that he managed to escape the FDLR to turn himself over to the Congolese army in Masisi territory, North Kivu, in early 2015. He was later transferred to Angenga prison:

The FDLR took me by force. I managed to flee two months after they took me. I handed myself over to the Congolese army in Kitchanga so the FDLR wouldn't find me. They put me in prison and now I am in Angenga.

Another 16-year-old boy said he had left the FDLR voluntarily to return to civilian life before he was arrested by the Congolese army in Walikale territory, North Kivu, in July 2015:

I was with the FDLR in Ihula before, but I left the group a while ago. I returned to my home, where I did small business activities. One day, I was at the market when the Congolese army came to arrest me, and now I am here [in Angenga].

A 17-year-old said that the Congolese army arrested him after he had helped them carry goods to Burungu, Masisi territory, North Kivu, in the first half of 2015:

The Congolese army asked me to help them transport goods to Burungu. When we arrived there, they didn't let me go. They brought me instead to Goma, accusing me of being an FDLR fighter.

A Rwandan boy, 17, said that authorities arrested him after he crossed into Goma from Rwanda:

I live in Gisenyi [in Rwanda]. One day, I crossed into Goma to look for work to make some money as a mason. When I tried to go back [to Gisenyi], [Congolese] immigration officers arrested me at the small border crossing [in Goma]. I showed them my identity card and small entry permit, but they didn't release me.

A 16-year-old said that the Congolese army tricked him into believing that he had to register with the Congolese refugee agency in Fizi territory, South Kivu, in early 2015:

I used to live in Kilembwe village. The military told us we had to register with CNR [Congolese refugee agency]. The military didn't bring us there though, but brought us to their military camp instead.

Accounts From Rwandan Hutu Refugees Detained at Angenga

A Rwandan Hutu, 54, told Human Rights Watch that authorities tricked him into believing he had to help register Rwandan Hutu refugees in Fizi territory, South Kivu, in June 2015:

I am a civilian. I was never with the FDLR. It's true that I am Rwandan, and I came to Congo in 1994. I was the unofficial representative of Rwandan refugees in my area, in charge of welcoming refugees and helping them make sure their

paperwork was in order. I worked with the CNR and UNHCR [Office of the UN High Commissioner for Refugees] to register refugees. I am well known in the village as a refugee and not as an FDLR member.

On June 15, 2015, [Congolese] soldiers came to me, saying that they were there to facilitate the registration of Rwandan refugees. They asked my family and me to follow them and so we did. To our great surprise, they then put us all in prison in Kilembwe. Later, they transferred us to Baraka, and then to Bukavu. From there, I was transferred to Goma and finally here to Angenga. I don't know what happened to my wife and children. But what crime did we commit? Just being Rwandans?

A 43-year-old Hutu man from Fizi territory, South Kivu, described his arrest:

I was arrested on February 20, 2015, after the authorities tricked me. They told me I needed to register with CNR. But instead of bringing me to the CNR office, they brought me to their military camp. It was in the village of Kitumba in Minembwe. The same day, at least another six people were arrested through this same trick.

A Hutu man from Uvira, South Kivu, said that he had been with the FDLR but had abandoned the group three years before his arrest:

I am Rwandan and I was with the FDLR for a while. When I realized that it wasn't worth all the pain, I left to live first in Kilungutwe in Mwenga, and then in Kilembwe, where I stayed for three years with my wife and children.

Authorities told us that we needed to go to Bukavu to get the right papers from the refugee agency. They said we would later return to the village. I didn't find anything unusual with all of this. And so I took my wife and my children. The army drove us for free to Bukavu, where we planned to register with CNR and UNHCR. But when we arrived in Bukavu, they brought us to the Sokola 2 military camp and we became prisoners without us even knowing what was happening. There were many people, including other families that were tricked like we were. When they brought us here [Angenga], my family stayed in Bukavu. I have not heard from my family since. Were they forcibly sent back to Rwanda? I have no idea. I don't know whether they're dead or alive.

Accounts From Other Alleged FDLR Combatants Detained at Angenga

A Hutu farmer and former combatant who said he had left the FDLR in 2013 said:

One day, [Congolese] soldiers intimidated me, ordering me to leave the area under the pretext that military operations were under way. And so I left and went to Minembwe [Fizi, South Kivu]. There, [the Congolese army commander] Colonel Heshima called me to come see him. I tried twice but he wasn't there. The third time I met him. He didn't tell me anything except that I needed to get into his truck and that we'd talk later. I never talked to him; he brought me instead to prison. I wasn't the only one. There were several of us but those who had money paid to be released. Some gave goats or a cow or paid \$100. I didn't see why I should pay because I didn't do anything.

Then on April 4, we were brought to Fizi where we spent two nights. Other prisoners from Kilembwe joined us. We boarded another vehicle toward Bukavu, where we arrived on April 7. The same night, we got on a boat and arrived the next morning in Goma. They took us to the T2 and I spent about a month there. On May 7, I was taken to the Angenga prison. To tell you the truth, all of those who were arrested in Fizi aren't with the FDLR. The [FDLR] combatants are in the forest and we are with the population in the village. My neighbors can testify that we were taken in the village because we are Rwandans and not because we are FDLR.

A 39-year-old man said that he surrendered to MONUSCO in Walungu, South Kivu, in January 2015 and was transferred to the Congolese army in June:

I left Rwanda in 1994. It's true that I worked with the FDLR for a while. But I surrendered with my weapon in January 2015 in the MONUSCO camp in Walungu in South Kivu. We were 72 people on that day who surrendered with their weapons. They registered me in the camp.

On June 26, the Pakistani soldiers [of MONUSCO] opened the gate and let Congolese army soldiers into the camp. They talked for a long time but we didn't understand any of it. After a while, the soldiers took nine of us. They led us out of the camp saying we need to return to Rwanda. My wife, five children and my mother stayed behind. They then brought us to a military prison in Bukavu, where we stayed for nearly one month. They asked us who among us wants to go to Rwanda. I refused because I couldn't leave my family here. I was then

transferred to Goma, where I stayed for almost three weeks. On August 22, 2015 we arrived here in Angenga.

A 34-old-year man said that he was arrested while looking for food after his baby was born in northern Masisi territory, North Kivu:

I lived in the Nyange internally displaced persons camp. I wasn't part of the war. I live with civilians in a camp. When my wife gave birth to our first child, I left for the market to look for some food. On the way, a soldier told me that his commander had a question for me. So, I walked to his office. When I arrived there, they arrested me. I haven't seen my wife or my child since. If you say that I was in the forest [with FDLR] or at the front line, it's a baseless lie. I am well-known in the IDP [internally displaced persons] camp. You can inquire for yourself. I am in prison but until now I don't know what I have done wrong.

Nzitonda Case

Congolese army soldiers arrested an FDLR officer, Séraphin Nzitonda (known as "Lionso"), 40, in Mweso, Masisi territory, on February 26, 2015, and later transferred him to Angenga. Four years earlier, on January 6, 2011, Congolese authorities had issued an arrest warrant for him for crimes against humanity for his alleged involvement in the mass rape of at least 387 civilians between July 30 and August 2, 2010 in eastern Walikale territory. More than one year after his arrest, Congolese authorities have not charged him in court let alone brought him to trial, and his arrest was not known by Congolese military justice officials interviewed by Human Rights Watch.

Conditions at Angenga Prison

Angenga was built in in the early 1950s during the Belgian colonial period for prisoners serving long sentences, and it was later used as a prison for military personnel and political prisoners during the dictatorship of Mobutu Sese Seko, from 1965 to 1997. It was closed in 1997, but reopened in March 2015. In addition to the former FDLR fighters and others accused of links to the FDLR, several hundred prisoners from across the country are incarcerated there. Human Rights Watch interviewed seven prisoners at Angenga who were not part of the group of alleged FDLR fighters.

The approximately 750 prisoners at Angenga suffer from a severe shortage of water and food, and the prison hospital ward has almost no supplies or medicine to treat the sick.

“The prison clinic doesn’t deserve to be called a clinic,” a prison official told Human Rights Watch. “There’s no medicine. It’s a catastrophe. We have no paracetamol for diarrhea or malaria. We should evacuate those who are really sick to Lisala [the closest town], but we can’t afford this. The conditions are inhumane.”

One prisoner said:

To get medicine, you have to wait for a response from God. Some of us have tuberculosis but they’re given medicine that’s already expired. Others have HIV but there aren’t any antiretroviral drugs. Don’t you see that we are destined to die here one after another?

Another prisoner said:

When you’re sick, you’re taken care of in a clinic that doesn’t have any appropriate medicine. Personally, I have a bad urinary tract infection, and I’m suffering a lot because my transfer to the hospital in Lisala keeps getting delayed. I know two prisoners who died because they weren’t transferred to the hospital in time.

One prisoner described the sparse water rations:

Like you can see for yourself, we live in inhumane conditions here. The biggest problem is the lack of water. We don’t have much and we sometimes go without a bath for one week. It’s great when it rains because then we have water to wash our clothes. For drinking, they give us a bucket of 15 liters for about 50 people. And this water has not been treated. For food, we only receive a small amount per day. We get some beans, sometimes with rice, manioc or fufou.

Another prisoner described the sanitation and hygiene conditions:

Sometimes we don’t even wash ourselves for a week. And on top of that we don’t have toilets. And the stench is unbearable. In cell block one, for example, there are more than 300 prisoners but only six small holes. Imagine that!

<https://www.hrw.org/news/2016/04/04/dr-congo-children-held-remote-military-prison>