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Democratic Republic of the Congo: Protection of Civilians in North Kivu Must Go Beyond Monitoring

In the Democratic Republic of the Congo (DRC), the UN Security Council has given a clear mandate to MONUC, its peacekeeping mission there, to protect civilians; Directive 01/07 issued by the MONUC force commander is equally clear about this duty. Mechanisms to collect information, monitor needs, and develop recommendations are impressive, yet these improvements have not led to action in the volatile province of North Kivu. While the presence alone of peacekeepers might give hope to the population and deter abuse, MONUC must be more proactive in protecting civilians.

In a country where the majority of people are rebuilding their lives following years of war, one area remains a bed of insecurity and abuse for Congolese civilians. In North Kivu, which borders Uganda and Rwanda, 160,000 civilians have fled conflict and attacks since the beginning of the year. While there are considerable humanitarian needs, the crisis is above all one of protection.

Every day, women and girls in North Kivu face the threat of rape by armed forces. In Masisi Territory, they walk from the village of Buhabo to Masisi Center to sell their produce. On Tuesdays and Sundays, the market days, their biggest fear is encountering soldiers from the national army who attack and rob them. According to residents, sexual assault and rape is also common. While hiking this route, Refugees International met a group of women carrying heavy loads who asked about soldiers on the path. When told that four soldiers were coming their way, the women quickly decided to take an alternate path to the market, adding an hour to their route. There is a MONUC base close by, but MONUC soldiers do not patrol this road to the market.

Mechanisms exist for reporting abuses and making recommendations to protect civilians. MONUC publishes regular reports on human rights, and teams from the UN and non-governmental organizations (NGOs) travel throughout the territories to talk with villagers about their concerns and then share recommendations with MONUC and other agencies. The Office of the UN High Commissioner for

Refugees (UNHCR) has made much progress in establishing a working group on protection under the new Cluster Leadership Approach to gather information and advocate for an end to attacks and abuse of civilians.

The results of these efforts, however, are disappointing: recommendations go unimplemented and attacks continue. In some cases MONUC or NGOs may not be able to conduct protection or assistance activities; insecurity, bad roads, and insufficient operational capacity limit the amount of work that can be done. Nevertheless, MONUC and humanitarian agencies must develop creative solutions to protect the population of North Kivu from attack.

MONUC must mainstream gender concerns through all of its work, as required by Security Council Resolution 1325. Given that violence against women is one of the greatest protection problems in the DRC, and that MONUC has a protection mandate, there should be systems in place to bring women peacekeepers and translators to talk with Congolese women about their concerns and to implement protection activities. Forces loyal to Tutsi warlord Laurent Nkunda have used rape as a weapon of war in North Kivu, yet in areas where his troops are deployed, very little is done to protect women who walk to the market, to church, or to get firewood. MONUC should work with Congolese women and gender experts to develop protection strategies such as firewood patrols and deploy in areas of known abuse such as market routes and military checkpoints.

Unaccompanied women and children, the elderly, orphans, and people with disabilities are especially vulnerable. In a site where thousands of displaced had recently arrived, people reported that those with disabilities and some of the elderly had not been seen since the violence started. Women reported that they must sometimes walk for an entire day to find firewood, clearly a risk in such a highly militarized area. A community leader stated that she could think of six children in the camp from different families who were separated from their parents. The government of the DRC has the primary responsibility to protect its civilians, and international agencies have the responsibility to do so when the government cannot, yet there are very few programs to support those who are especially vulnerable to abuse.

Civilians in eastern DRC are suffering from widespread human rights violations especially at the hands of Nkunda and his troops, as well as from the Congolese armed forces and the FDLR (a rebel force which includes individuals responsible for the Rwandan genocide). Nkunda's troops are ostensibly in North Kivu to conduct operations against the FDLR. However, the troops, especially the Bravo Brigade deployed in Rutshuru Territory, mostly attack and abuse civilians, saying that the civilians are FDLR supporters. The FDLR then conducts reprisals against the people. A person who had fled these abuses explained: "Since Bravo arrived, we've never had any peace. . . . The FDLR used to come to our homes from time to time to ask for things. But, once Bravo came, then the FDLR started becoming worse. The FDLR says that the population elected the government and those responsible for sending Nkunda's troops here."

The story of one displaced man illustrates the threats to civilians. Facing danger in his village, he had hidden in the forest during the night for the previous six months, but then even the forest was no longer safe. "They followed us in the forest and killed one man from my village. Another, a woman, was hurt and is in the hospital. All of our goods were stolen. The animals were stolen. So, we came here [to the site for displaced people] with nothing."

He lamented the fact that they are caught between Nkunda's forces and the FDLR. First, "The military killed many people. After killing people, they throw the bodies down the latrine." As for the FDLR, "They come and force open the door. They ask for three kinds of money: Congolese francs, Ugandan shillings, and U.S. dollars. You show what you have; they tell you it's too little and they beat you." In his case, the soldiers took his belongings, then made him transport them for about 10 kilometers. "If you're lucky, they'll say, 'Leave these things and go home.' In other cases, they'll kill you," he said. Now, he does not know where to go and how to provide for his children.

The main request of the people in areas controlled by the most abusive force, the Bravo Brigade, is to have these troops transferred elsewhere. Nkunda's forces, the majority of which are Tutsi, must be fully integrated into the national

army and moved from the majority-Hutu areas in North Kivu. To further defuse the situation, the Government of the DRC must mitigate inter-ethnic tension and deter violence by deploying more government civil servants to North Kivu, supporting local conflict resolution efforts, providing social services, and investigating and prosecuting all perpetrators of violence.

In the near term, however, the only force capable of stopping attacks on civilians and protecting them from abuse is MONUC. While supporting the government, it must take immediate steps to secure the main roads in Rutshuru and Masisi, and protect women during their daily movements. Recommendations to safeguard the people of North Kivu are plentiful; the time has come for MONUC and the rest of the international community to act.

REFUGEES INTERNATIONAL RECOMMENDS: MONUC:

- Deploy troops immediately along the road between Kiwanja and Nyamilima in Rutshuru Territory in order to deter attacks on civilians.
- Provide greater safety for vulnerable people, conduct night patrols, deploy to areas of greatest risk such as market routes and military checkpoints, and employ women as soldiers and translators.
- Engage fully with the Protection Cluster on both the provincial and national level in order to meet its recommendations as quickly and as effectively as possible.

Humanitarian agencies:

- Expand presence in internally displaced communities to identify vulnerable people, work with the communities to create protection programs, and advocate that troops stay out of sites for internally displaced persons.
- Provide feedback to MONUC about its mobile operations and, for security purposes, share information with MONUC about NGO operations.

The Government of the DRC:

- Prosecute perpetrators of crimes against humanity, including sexual violence.
- Train all soldiers in human rights, including the rights of women and children.
- Deploy government representatives from Kinshasa and from Goma into communities in North Kivu to talk with people about protection concerns.
- Train more police officers for deployment in eastern DRC, including training in the rights of women and children.

Advocates Sayre Nyce and Rick Neal visited North Kivu in June 2007.